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1947

File No. 1585

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FO 371 / 61903

1978

61903



1947

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PALESTINE

E 1535

21 FEB

Registry  
Number

E 1585/1585/31

FROM

Our Ministry  
bureau.

No.

Dated

Received  
in Registry

21 Feb 1947

Fewish Agency.

Enclosed letter from Mr. P. Hertzberg to  
Mr. Hertzberg of 17 Feb. Stating that  
Mr. Hertzberg of Jewish Agency called his  
primary purpose was with Mr. Hertzberg  
to act as intermediary for him in asking  
and adding to receive him. I thought  
that great number in middle East.

Last Paper.

No P.D.

References.

(Minutes.)

H.B. 5'  
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(Print.)

(How disposed of.)

61903

(Action  
completed.)

G.E. 5/3

(Index.)

9/9/47

Next Paper.

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371 / 61903

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371 / 61903					

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what was said to the Lord Chancellor to me, namely, that the Jewish Agency would be perfectly willing to go on with the Mandate provided we allowed immigration by the effect of "economic absorptive capacity"; and that they would be ready for us to act as final arbiter as to what the economic absorptive capacity might be.

When I pressed him about stopping terrorism, he claimed that there had now been a considerable lull lasting "some weeks". He said that it might break out again at any moment. The terrorists were anxious to defy the Agency as well as the British. He said, however, that if we could raise the quota of immigration in a modest degree, terrorism would stop and the situation would become normal again. When I pressed him as to what he meant by "a modest degree", he named various figures, finally coming down to fifty thousand. I understood this to mean fifty thousand in the next twelve months. Mr. Shertok, / of course,

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(Sd.) P. J. NOEL-BAKER

P.S. I am sending a copy of this to Ernest.

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E 1721

26 FEB

1947

PALESTINE

Registry  
Number

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FROM

4. 11. 00

No.

11/1 of 1947

Dated

11/11/47

Received  
in Registry

20. Feb. 1947

26 Feb. 1947

Jewish Agency.

Inform Mr. KOLLEK's report by Jewish Agency recently attempted to discuss the defence and strategic implications of the Palestine situation. He did not see Mr. KOLLEK but had talk with member of Dept. and was sent memorandum to him (copy enclosed).

Last Paper.

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References.

1670/1498/31

1498/1498/31

(Print.)

(How disposed of.)

(Minutes.)

Part of Mr. KOLLEK's paper an interesting, but it contains nothing new. The Zionists are holding out the prospect of a strong British military base in a Jewish State. They claim, probably with justice, that the Arab States would not go to war to prevent the establishment of a Jewish State.

But that, of course, is not the danger that we have in mind. The results we fear are:

- (i) That our influence in the Middle East would suffer, perhaps irreparably; and
- (ii) That in those circumstances a base in the Jewish part of Palestine would be of limited value.

The Zionists believe that Palestine itself is of first-class strategic importance to us. What is important, I think, is the effect

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Next Paper.

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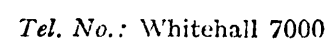
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E 1721

~~SECRET~~

20th February, 1947.

26 FEB

Dear Dixon,

A Mr. Kollek representing the Jewish Agency, recently attempted to see my Minister to discuss the defence and strategic implications of the Palestine situation. My Minister did not see him, but he had a talk with a member of this Department, and as a result has sent him a memorandum. Mr. Alexander thinks that it is worth sending on to you and I enclose two copies. I am sending copies also to Edmunds at the Colonial Office.

Yours sincerely,

2. Wood.

Eastern Exp.

21/2.

P.J. Dixon, Esq., C.M.G.

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Reference:-

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371 / 61903



NOTE ON PALESTINE POLICY.

The Palestine problem has a vital bearing on Britain's strategy, on her imperial communications, on various aspects of her international relations, and even on the internal issue of manpower distribution.

The object of this memorandum is not to attempt a definition of the nature and extent of these interests, but rather to indicate certain primary conditions which appear to be essential if British interests are to be advanced.

Political Solution.

2. The first essential condition is the solution of Palestine's political problem. The present uncertainty involves a difficult and burdensome commitment which contributes nothing to British interests and exposes this country to constant criticism abroad. The two main factors to consider in the search for a political solution are:

- (a) The existence of a strong national sentiment amongst Palestine Arabs which is difficult to placate without conceding some measure of political independence.
- (b) The presence in Palestine of a Jewish community possessing definite national attributes and anxious to grow in numbers and strength on the one hand, and the determination of the Jewish people as a whole firmly to establish itself in Palestine, on the other hand. Neither the national character of the Jewish community in Palestine, nor the urge of Jews abroad to immigrate and settle in that country can be suppressed or frustrated without a distasteful policy of repression which is bound, in the end, to prove futile.

The first of these two essential facts is commonly recognized in this country, the second is still largely evaded and it is from this evasion that the difficulties of the present situation arise.

3. It is only through the presence of the Jewish community in Palestine that Great Britain is in a position to advance her strategic interests in and through that country. Great Britain obtained control of Palestine through the Mandate by accepting the obligation to establish a Jewish National Home. Without that special obligation and the action already taken in its fulfilment Palestine would in no way be different from all other Arab countries, whose avowed political purpose is to abolish the traditional predominance of British interests in their territories, and whose pressure for the evacuation of British troops is proving irresistible.

Unless Britain offers a solution giving a substantial measure of satisfaction to Jewish national sentiment, the rancour and resentment of the Jews together with the manifest refusal of the Arabs to accommodate British strategic interests will between them destroy any basis on which British policy can rest.

4. Three possible solutions have been discussed recently whereby peaceful conditions can be restored to Palestine in place of the turbulence and discontent which have grown from the policy of the White Paper of 1939. These are:

- A. A return to the Mandate in its original letter and spirit.
- B. A partition of Palestine into Jewish and Arab States.
- C. A federal or cantonal delimitation under a British trusteeship.

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371 / 61903

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(c) For Great Britain finality. Partition alone would divest Great Britain of administrative and political responsibilities in Palestine by conferring independence on each of the two nations inhabiting it. It would, at the same time, enable Great Britain to retain her essential strategic interest by an instrument of alliance with the Jewish State and to reduce her manpower commitments in Palestine to manageable dimensions, determined solely by her long-term strategic necessities.

The Jews would also be able freely to develop the potentialities of their State in land and water, thereby strengthening their own position and stimulating the economic life of the Middle East as a whole.

The Jewish State will then find itself on a footing of equality with the neighbouring Arab States. The relationship between the two parties would therefore be based on mutual respect and need no longer be envisaged in terms of permanent conflict.

(a) It would not liberate Great Britain from political and administrative responsibilities and from heavy military commitments.

(c) It would offer the Jews neither an adequate area, nor freedom to regulate their own immigration, even into the zone allotted to them.

/ (d) . . .

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Arab Reaction.

13. To sum up the opposition to the proposed inclusion of the Arab world outside Palestine is by no means likely to be so burning as to outweigh the advantages of the scheme. Certain instances of an Arab rebellion in Palestine might be forthcoming from the Muslim Brothers and similar associations. On the other hand, the memories of internecine warfare into which the most of 1936-1939 had degenerated, and the fear of the armed strength of the Jews would act as powerful deterrents. Even the hostility of the Arabs in Palestine would be mitigated by the consciousness that this solution alone gives even partial satisfaction to their desire for independence. In any case, without the active and practical support of the surrounding Arab states, such as would involve them in a state of war with Great Britain or in an act of aggression against the United Nations, the opposition of Palestine Arabs could not become a decisive factor.

14. It is argued that the Jewish State would break up the homogeneous Arab pattern of the Middle East and thereby be a factor of permanent discord. The truth is, that the Middle East is a pattern of ethnic and cultural diversity and that discord arises from attempts to suppress diverse nationalities by /subjecting ...

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 371 / 61903

14

subjecting them forcibly to the hegemony of the predominant Sunni-Moslem-Arab element. There will be no lasting peace in the Middle East unless the Arab national movement recognises all other nationalities which claim freedom. The attempts of Arab nationalism to deny the specific national character of the Jewish National Home and arrest its growth, to embark upon forcible assimilation of the Kurds in Iraq, to obliterate the character of the Lebanon as a bulwark of Christian civilisation in the Orient, to drive the Armenians into the arms of Russia by a policy of Arabisation, to suppress the national spirit of the Sudan by tying it forcibly to the Egyptian crown - all indicate the tendency of trying to achieve artificial homogeneity by crushing the resistance of the heterogeneous elements. They prevent the Middle East from being at peace within itself and induce non-Arab nationalities to look to foreign powers (Russia or America, as the case may be) for protection and support. A higher and more synthetic vision of the Middle East is that of an area comprising many different communities, each secure in a fixed area of national independence, and cooperating with others for the benefit of the region as a whole. National independence, in short, cannot be the prerogative of the Arab nation alone, though its predominant position in the Middle East is not open to challenge. The alternative to harmony by mutual accommodation is oppression which must breed unrest and defiance. If the ethnic pattern of the Middle East is realistically conceived in its heterogeneous character, it will be found that Jewish Palestine, far from being a disturbing factor, can organically fit into the general framework.

#### The Social Aspect.

15. Britain's interest cannot be advanced, if she remains neutral in the social conflicts in the Middle East. Unless the standard of life is raised by the introduction of Western resources and technique, a turbulent and perhaps revolutionary situation will be created. In such a situation powers other than Great Britain would grow in influence and prestige at Britain's expense. If the strong forces of economic modernisation are to be successful, the Middle East requires:

- (a) Scientific agriculture
- (b) Industrial development
- (c) Capital for development schemes
- (d) Modern technique and advanced methods of social cooperation.

Progress along these lines would not only contribute to the welfare of the Middle East as a whole, but would also enhance its value as an ally or as a unit of defence. No serious student of the Middle East can doubt that in each of the above four essential requirements the Jews can play a constructive part.

#### Attitude of Palestine Jewry.

16. There is - inevitably in present circumstances - a good deal of bitterness against the mandatory power among the Jews of Palestine and some of it unfortunately finds violent expression. It is sometimes said that anti-British feeling there is so strong that there is no prospect of a swing-back, and that henceover Palestinian Jewry is on the whole pro-Russian. The reasons for this impression are probably:

- (a) A misconception of the nature of Jewish "communist settlements". There are, in fact, communists only in the economic but by no means in the political sense. They have nothing whatsoever to do with communism as a political movement. Not only do they not profess any allegiance to the Soviets or Communist Party, but they are also even marked by pro-American feeling.

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371 / 61903

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The same is true of the Yishuv (the Palestine Jewish community) in general. At the last elections to the Jewish Elected Assembly, out of 230,000 votes cast less than 2,000 were for Communist candidates - and not a single one of these votes came from a "communal village". Sixty per cent of the votes were Labour, fifteen per cent right wing and the rest liberal and religious groups.

(b) The large movement of Jews from the Russian zone. It is maintained that this could not be done without Russian consent. The conclusion from this premise is, for ever, fallacious. The truth is that countries like Poland tend to resist Jewish emigration because even a small number of Jews remaining there after the war constitute an embarrassment to their government: they are made use of by the opposition groups in various ways, and the government, lacking the power to suppress anti-semitism completely, tends to take the line of lesser resistance. In fact, only those Jews who are sincere Communists feel they have a stake in any of these countries or any hope of retaining their lives there. The mass exodus from the U.S.S.R. of the Polish Jews who had fled there during the war, although they had the option of remaining in Russia, is clear proof how little sympathy these Jews have for the Soviet regime. On returning to Poland and finding conditions there insupportable for the Jews, they have mostly moved further westward, into the American zone, in the hope of eventually reaching Palestine.

The patent facts are that in its political thought Palestine Jewry is definitely democratic and its working class gravitates towards Socialist gradualism.

#### Conclusions.

(i) British interest requires an immediate and final solution of the Palestine problem, and of all solutions suggested Partition or the establishment of an Independent State alone has the merits of finality and gives some satisfaction both to Jewish and Arab national sentiment.

(ii) A Jewish State established by such a scheme would be willing to accommodate British strategic and other interests.

(iii) A Jewish State can be a profitable hinterland for a British base by reason of its ability to provide skilled manpower, water and food supplies, workshops, improved communications etc.

(iv) Such a solution would also contribute to the alleviation of Britain's manpower problems at home.

(v) There is no likelihood that the Arab States outside Palestine would take dramatic action against such a solution, especially once it has gained the support of Great Britain and the United States and therefore the endorsement of the United Nations.

(vi) Palestine Arabs would also demand a measure of political independence from such a solution, and their opposition, is not a decisive deterrent.

(vii) A solution of this kind is in keeping with the true ethnic diversity of the Middle East, which should become a region in which all those nationalities are secure in their liberty and independence.

(viii) The requirements of social revival in the Middle East are in full accord with the social and economic principles of Jewish development. A stimulus to the social life of the Middle East is essential if a revolutionary situation uncongenial to Britain is to be avoided.

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371 / 61903

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- 7 -

(ix) Great Britain can secure no peace from the Middle East and, therefore, no security for her own interests, if the Jews are alienated through the suppression of their national interests and aspirations.

(x) The setting up of a Jewish State may be the only way in which Great Britain can maintain and justify her foothold in this region, since Arab nationalism is unanimous in its desire to reduce the British foothold year by year and bring about its total liquidation.

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1947

PALESTINE

E 1921

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Registry  
Number

E 1921/1585/81

FROM

Mr. Shertok

No.

Jewish

Dated

Agency.

Received  
in Registry

to Mr. Bealey.

27 Feb 1947

5 Mar 1947

Jewish Agency.

Transmit authentic copy of statement  
made by Mr. Shertok at a press conference  
7 Feb 1947 in Washington.

Last Paper.

1721

References.

(Minutes.)

Letter to Mr. Shertok.

H.B. 673

(Print.)

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Mr. Shertok  
Jewish Agency

Mar 12

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9/9/48

Next Paper.

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5
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FO

371 / 61903

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המוכנות היהודית לארץ ישראל

# The Jewish Agency for Palestine

2210 Massachusetts Ave., N. W.  
WASHINGTON 8, D. C.  
ADAMS 5411

February 27, 1947

E 1921

5 MAR

Mr. Harold Beeley  
Foreign Office  
Downing Street  
London, W.C. 1, England

Dear Mr. Beeley:-

I am sending you herewith an authentic copy of the statement I made yesterday at a press conference held in our offices in Washington.

Originally I had intended to concentrate on the reference of the Palestine problem to the U.N. and on the question of interim policy.

Since, however, on the morning on which the conference was held, Mr. Bevin's speech in the House was reported in the press, I naturally felt I had to deal with it, but managed to do so only cursorily. On second reading, I found that it merited a far more detailed and perhaps a more sharply worded analysis.

Yours sincerely,

*M. Shertok*

M. Shertok

MS/RM

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371 / 61903

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191

FOR IMMEDIATE RELEASE

From: Isadore Hamlin, Press Officer  
Washington Office, Jewish Agency for Palestine  
2210 Massachusetts Avenue, N.W.  
Washington 8, D.C.

#15

WASHINGTON, D.C.  
FEBRUARY 26, 1947

Statement of Mr. Moshe Shertok, Chief of the Political  
Department of the Jewish Agency for Palestine, at  
Press Conference - February 26, 1947

1. The announcement of the British Government's intention to bring the Palestine problem before the U.N. marked a new turning point in the tortuous road along which the problem has been dragged for so long. The British Government can hardly relish the prospect of having to throw the problem in its present unsolved state into the international arena. In his statement yesterday, Mr. Bevin indicated his preference for a solution which would obviate that necessity. What we may therefore be facing is not a decision to refer the matter to the U.N. but merely a move intended to bring about an otherwise unattainable compromise which would render such reference unnecessary.
2. It should therefore be emphasized that the Jewish Agency has no quarrel with the underlying principle of the new departure and is quite prepared to face up to it. The principle is that Britain is in control of Palestine by virtue of an international trust and is accountable for its policy to international authority. If the matter is re-

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371 / 61903

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ferred to the U.N., the Jewish Agency will do everything in its power to uphold and defend the internationally recognized rights of the Jewish people and its present-day interests in Palestine before the new political tribunal of the world.

3. The Mandate recognizes the right of the Jewish people to reconstitute its national home in Palestine. Such reconstitution, if it be true to its historic context, must signify the re-establishment of the Jewish State. This is the logical conclusion of the free and unfettered development of the Jewish National Home. This is the only form in which the primary purpose of the Mandate can be fulfilled today in conformity with the needs of the Jewish people, its present position in Palestine and the new political set-up of the Middle East, characterized by the emergence of six Arab countries as sovereign states. It is not the perpetuation of the Mandate that we are now primarily seeking but the achievement of independence; not a new tutelage under the U.N. but a place for the Jewish people in their councils.

4. Time is of the essence. Reference to the U.N. will take months. An ultimate decision and its implementation may take years. Meanwhile the position in Palestine and among the Jewish survivors in Europe is untenable and calls for an immediate remedy. A quarter of a million Jewish Displaced Persons in Europe are on the brink of despair. The question of interim policy, pending the submission of the major problem to the U.N., is of crucial urgency.

5. The strain in Palestine, both for the population and the Government is unbearable. The roots of the evil are the arbitrary throttling

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371 / 61903

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of immigration and the maintenance of a racial, anti-Jewish land regime. Both provisions are in violation of the Mandate. To both the uncompromising opposition of the Jews is pledged. Terrorism is a hideous outgrowth of the present pernicious policy. The only way out of the present impasse is by attacking the evil at its roots.

6. The immediate raising of the immigration quota so as to bring in, as quickly as possible, the first 100,000 from Europe, was urged in yesterday's debate in the British House of Commons by supporters of the Government and the opposition alike. That measure, and the abrogation of the racial land law, would be no more than an act of restitution on the part of the Mandatory Government. They owe it to themselves. They owe it to the U.N. They cannot in one and the same breath flout international authority by violating the Mandate and swear allegiance to it by submitting to the judgment of the U.N. He who seeks equity must come with clean hands. If Britain desires to lay its trust before the high international body, it must restore it intact, unsullied and undistorted by all the violations contained in the White Paper of 1939 and enforced today.
7. There is little hope that those of the British Cabinet who are in effective control of Palestine policy will easily be persuaded to effect these changes. Playing for time has been their guiding principle, pursued with inexhaustible ingenuity, at the expense of the peace of Palestine and the rescue of our European remnants. They have probably thought, and may be still thinking, that they would exhaust the patience of our DP's and make them turn their backs on Palestine, that they would *TIRE*

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371 / 61903

the Jews of Palestine and make them put up with the White Paper regime, that they would break the spirit of the Zionist movement and make its leaders accept any solution dictated to them. All these calculations have miscarried, but the attitude remains unchanged. It is characterized by a stubborn refusal to face realities. Only yesterday we were told by Mr. Bevin that there was no place for us, the Jews, in the United Nations because we are merely a "religion." The Jews have never empowered Mr. Bevin to decide on their behalf what they are. So long as he is unwilling to recognize that the Jews as a collective unit are a people, entitled to a position of equality among the nations of the world, so long as he fails to grasp that what we are engaged in in Palestine is nation-building, it is idle for him to tackle the problem rooted in these basic facts. It is not surprising that, thinking as he does and advised as he is, he cannot solve the problem. What is odd is that he should blame his failure on others.

8. Mr. Bevin argued yesterday that the White Paper of 1939 was in the nature of a binding agreement concluded between the British Government and the Arab States. But the Arab States have no locus standi in relation to Palestine. They were brought into the picture by the British Government itself. According to Mr. Bevin, the assumption in 1939 was that the National Home had already been established and the pledge of the Balfour Declaration fulfilled. This was not the view taken in 1939 by Mr. Bevin's Party, which fought the White Paper policy tooth and nail. Moreover, it was not for the British Government to judge its own case. The issue had to be decided by the League of Nations, and the competent organ of the League, the Mandates Commission, did decide at the time

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371 / 61903

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that the White Paper was a violation of Mandate.

9. Mr. Bevin asserted that if the Jews would give up their claim to Statehood, the Arabs might agree that 100,000 more Jews should be admitted, provided that thereafter it would be up to the majority of the population to decide whether immigration should continue, which means in effect that thereafter all Jewish immigration would stop. Alleged potential readiness of the Arabs to accept another 100,000 Jews is quite a revelation. Why has Mr. Bevin so far stubbornly refused to grant any increase whatsoever of the current monthly quota? Was it not because he was under a pledge to the Arabs in that regard? But irrespective of whether the Arabs might or might not agree, the Jews will never accept the position that their return to Palestine should be subject to Arab consent. Nor will they ever be ready to barter national freedom against human lives. It seems that Mr. Bevin does not even realize the insulting character of the offer. Did the British people stop to think for one moment of such a barter when they stood the Blitz and faced alone the danger of Nazi invasion?
10. The fundamental issues of the Jewish rights and status in Palestine, and of international responsibility for the solution of the twin problems of Palestine and the Jewish people, have now been raised afresh. Today more than at any time in the past, the attitude of the United States Government is of far-reaching importance. As a major victor in the First World War this country shares responsibility for the fate of Palestine. The Mandate was entrusted to Great Britain with its concurrence. Today, it is second to none in the councils

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371 / 61903

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of the United Nations. Its traditional policy of sympathy to the Jewish National Home was reinforced by recent official pronouncements urging the immediate admission to Palestine of 100,000 European Jews and favoring the establishment of the Jewish State. The eyes of Jews throughout the world are turned to the United States. Palestine and the Jewish problem is a world responsibility and only a great and progressive world power can show the way.

\* \* \* \* \*

Copies of this Bulletin have been filed with the Department of Justice, Washington, D.C., where the registration of the Jewish Agency for Palestine as an agent of the Jewish Agency for Palestine, Jerusalem, is available for public inspection. The fact of registration should not be considered as approval by the United States Government of the contents of this Bulletin.

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Registry  
No. E1921/1585/31

~~Top Secret~~  
~~Secret~~  
~~Confidential~~  
~~Restricted~~  
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Draft. Lilled to

Mr. Sherbrooke,

The Joint Policy for

22. O, Massachusetts Ave., N.W.,  
Washington 8, D.C.

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OUT FILE

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Despatched 12 <sup>noon</sup> M.

Dear Mr. Sherbrooke,

Thank you for your letter of  
February 27th, inclosing a copy of your  
statement to a press conference on the  
previous day. I am glad to have the  
full text.

Yours sincerely,  
(Sgd) H. Beeley. H.B. 6/3

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**OUT FILE**

FOREIGN OFFICE, S.W.1.

12th March, 1947.

(E 1921/1585/31).

Dear Mr. Shertok,

Thank you for your letter of the 27th February, enclosing a copy of your statement to a press conference on the previous day. I am glad to have the full text.

Yours sincerely,

(Sgd.) H. Beeley.

**Mr. M. Shertok,  
The Jewish Agency for Palestine,  
2210, Massachusetts Avenue, N.W.,  
Washington 8, D.C.**

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27

1947

PALESTINE

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Registry  
Number

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FROM

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Bulletin

Dated

11 June

Received  
in Registry

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inlet to U.N. by Jewish Agency.  
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Palcor Bulletin of 22/7

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Palcor Bulletin of 24/7

Palcor Bulletin n° 105 30/7.

Y.P.P. Bulletin, n° 170 1/8

177 1/8

179 4/8

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P.T.O.

1
2
3
4
5
6

Reference:-

FO

371 / 61903

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Mr. DeL.  
Information Policy Dept. 9/12/17

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The story has been retained to a number of correspondents.

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**FO**

371 / 61903

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PALCOR BULLETIN

-5-  
20 JUN

11th June, 1947.

JEWISH AGENCY PROTEST TO UNO

Against Circulating British "Illegal Immigration" Appeal

New York, June 9 (Palcor Agency).

The following protest has been addressed by the Jewish Agency to the Secretary General of the United Nations Organisation for circulating among the member nations the British Government's request to discourage Jewish "illegal immigration" to Palestine:-

"On April 21, 1947, a week prior to the opening of the special session of the General Assembly on Palestine, a note was filed by the British Government with the Secretary General of the United Nations for circulation among member nations, requesting that they do all that is in their power to discourage "illegal immigration" of Jews to Palestine. The note was withdrawn before action in pursuance of it was taken by the Secretary General.

"In the course of the debate, which subsequently took place in the General Assembly, appeals for peace during the period of the "inquiry" were made by a number of delegates, both in the First Committee and in the General Assembly, a resolution along these lines was thereafter adopted by an overwhelming majority of the Assembly with five Arab states abstaining. It is submitted, that this resolution, as the wording indicates and as it appears clearly from the discussion during the special session, was intended to defer violence or threat of violence in Palestine, pending the report of the Special Committee. By no stretch of imagination can it properly be interpreted as a call by the United Nations for co-operation in the campaign which is being waged by the British Government against immigration of Jews to Palestine outside the quotas prescribed by the Palestine Government. Indeed, at no time in the course of the session of the special session did the British delegation ask for the inclusion in the proposed resolution of any clause designed to prevent such "illegal immigration". Nor was a single word suggested in the so-called peace resolution directed against the continuance of such immigration, the legality of which in face of Britain's illegal policy of the 1939 White Paper, the Jewish Agency has repeatedly asserted. Had the British Government sought to do so, its action would undoubtedly have been challenged on the ground that it was bringing into the issue the very matter for which the Special Committee was appointed.

"The Jewish Agency now learns that on May 23rd, 1947, eight days after the conclusion of the Special Assembly, the British Government renewed its request to the Secretary General to circulate to member nations its note requesting their active support in discouraging "illegal immigration"; and that on May 29th a circular note was sent to this effect by the Secretary General to member nations who were also asked to inform him of any action they may take. This request by the British Government and the ensuing action of the Secretary General would appear altogether out of order. The British Government, if it desired action on the part of the United Nations with regard to "illegal immigration", should have sought such action in the course of the eighteen-days session of the Assembly, all the more so in view of its abortive attempt prior to the session to use the machinery of the United Nations for this purpose.

"The failure of the British delegation to bring the problem openly before the United Nations is undoubtedly, as suggested above, due to the fact that the British were uncertain of the possible reaction of other delegations. Now, however, that those delegations have left for their homes, by forced interpretation of the resolution directed to another end, Britain seeks to obtain by subterfuge what

P.T.O.

1
2
3
4
5
6

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**FO**  
371 / 61903

11th June, 1947.

she could not achieve by open discussion. This can only be described as devious and improper stratagem and it is regrettable that the Secretariat has given its support to it. Beyond that, it must be observed that the United Nations are not committed in the immigration policy of Great Britain in Palestine and can, therefore, take no action on this score.

"As for the statement of the British representative that "illegal immigration" should be discouraged while the matter is sub judice, it must be emphasized that, by Article 80 of the Charter, Britain is committed to respect the right of the Jewish people under the Mandate and to have its immigration to Palestine "facilitated", not curbed. It is urged that the proper course would accordingly be for the Mandatory Government to revert to the obligations to which it is committed under the Mandate and pending the inquiry to abandon its illegal restriction of Jewish immigration.

"The Secretary General, by asking member nations to inform him of the action taken by them in pursuance of the British note has improperly identified the United Nations with the policy of Britain with regard to Jewish immigration, as arbitrarily determined by Britain alone. It is clear that the Secretary General is not bound to accept Britain's unilateral interpretation of the resolution of the Assembly. Nor is there anything in the so-called peace resolution which empowers the Secretary General to take any action for the implementation of that resolution and to ask member states to account regarding their compliance with the request of the British Government. In doing so it is submitted that he has gone beyond the scope of his functions.

"It is with deep regret that we find ourselves constrained to protest against the action of the Secretary General. The Jewish Agency, as a body officially recognised both under the League of Nations Mandate and by the General Assembly of the United Nations, as representing Jewish interests in Palestine, accordingly requests the Secretary General to circulate these observations to member nations of the United Nations. In so far as the action of the Secretary General introduces new prejudicial factors into the situation at the time when the Special Committee of the United Nations has begun its inquiry, the Jewish Agency is transmitting a copy of this note to the Chairman of the Special Committee for the information of members of the Committee and for such action as they may deem advisable."

DR. SILVER ON THE SILENCE OF THE  
WHITE HOUSE

U.N.O. and the Jewish Refugees

New York, June 9 (Palcor Agency).

Addressing the delegates of the fourth annual Conference of the Manhattan Zionist Region, Rabbi Dr. Abba Hillel Silver, member of the Executive of the Jewish Agency, warned of the possibility that the U.N. Committee may waste its time, and that the General Assembly to which it will report in September may argue its way into "a humiliating impasse", unless the United States takes a stronger hand in the deliberations.

"We have been waiting for many months", Dr. Silver said, "to hear the authoritative word of the White House on the subject of Palestine, a word of protest, perhaps against Britain's failure to accede to the President's oft repeated request for the admission of 100,000 Jews to Palestine - a request nearly two years old; or against Britain's action of shelving the unanimous report of the Anglo-American Inquiry Committee which called for the immediate admission of these 100,000 and for the removal of other illegal

1	2	3	4	5	6

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371 / 61903

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5325 / 1585 / 31  
25 JUL 1947

PALCOR NEWS AGENCY

PALESTINE TELEGRAPHIC SERVICE

INDEXED

Telegrams: Palcor London.  
Telephone: Museum 3815.

77, Great Russell Street,  
London, W.C.1.

Bulletin No. 101. Vol. X.

Tuesday, 22nd July, 1947.

4,500 JEWISH REFUGEES SENT BACK

On The Way To France And Then Colombia

The Yishuv, as the Jews throughout the world, has learnt with consternation yesterday that the 4,500 Jewish refugees from the "Exodus", intercepted by the British Navy and brought to Haifa, then deported, are not being taken to Cyprus, but are on the way back to Europe.

The mystery of the whereabouts of the refugees was cleared up by a statement from the Foreign Office that the refugees are on the way back to France and that the French Government had agreed that the ships taking back the refugees can call at a French port. Whether France will permit them to land is not known, but according to the official statement they will be taken to the American Republic of Colombia.

Prof. Brodetsky's Protest

Before the official news was published, Prof. Brodetsky, member of the Executive of the Jewish Agency, called at the Colonial Office and made the strongest protest at the way in which the latest deportation of Jews from Haifa had been carried out by His Majesty's Government.

He pointed out that it was unprecedented for a Government to keep the whereabouts of 4,500 human beings a secret for two-and-a-half days. When he was informed that they were being taken to France with the consent of the French Government, he again protested that this change of policy meant sending back to despair thousands of survivors of Nazi massacres. He also drew attention to the fact that this action would heighten tension in Palestine.

When the representative of the Colonial Secretary was asked what would happen to these people in France, his reply was that he could give no information.

A Brutal Act - Jewish Agency Statement

Jerusalem, July 21 (Palcor Agency).

A Jewish Agency spokesman to-night stated: "The British Government is apparently determined to stop at nothing in its efforts to block the escape of Jews from intolerable conditions in Europe. It is now experimenting with a new device to crush the Jewish struggle against the White Paper policy and it finds it necessary to involve others in its manoeuvres."

"We are loath to believe," the spokesman added, "the report that the Government of a country that cherishes the ideals of fraternity and equality can have accepted partnership in so heartless an enterprise, however violent diplomatic pressure was. Liberty-loving Frenchmen and Englishmen will react with humiliation and shame if this proves to be true. The proposal to transport these helpless people thousands of miles from Palestine is a brutal undertaking which reveals confusion and desperation of the British policy. The efforts of Jews to reach Palestine will continue. No amount of oppression can stifle the urge of Jews for freedom in their own country."

P.T.O.

1
2
3
4
5
6

Reference:-

**FO**

371 / 61903

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PALCOR BULLETIN

22nd July, 1947.

Government Replies to Charge by Jewish Agency

The Chief Secretary, Sir Henry Gurney, to-day sent a letter to the Jewish Agency which constitutes a reply to the statement made yesterday by the Agency spokesman in Jerusalem on the conduct of the British in handling the refugees of the "Exodus". The Agency spokesman in his comment said that the Mandatory has now extended the enforcement of the illegal White Paper to the high seas. To enforce this policy the Mandatory is driven to utter disregard of human life and freedom.

"In these circumstances," the letter continues, "the Government desires to bring to your attention the fact that such statements as those quoted are untrue and tendentious and cast wholly unjustified aspersions on the conduct of the personnel of H.M. Navy. The responsibility for such unfortunate and regretted incidents as those which occurred in connection with the arrest of the illegal ship "President Warfield" must lie on those aboard the vessel who offered resistance to the Royal Navy and on those, both aboard the ship and elsewhere, who directed and incited them to offer such resistance."

Jerusalem, July 21 (Palestine Agency).

The all-clear was sounded half-an-hour after the alarm. It transpires that an explosion has occurred near the Central Prison and the Government Immigration Department.

# PIPE-LINE ATTACKED

It is officially stated that a pipe-line was attacked near Kfar Yehoshua, between Afule and Haifa at noon. Eight Jews were subsequently detained for interrogation, including a party of four who were carrying a pistol and tools for digging.

BLOWN UP WHILE ANNOUNCING CURFEW

It is officially stated that two soldiers and a civilian interpreter were injured when a military jeep, passing Hadar HaGarmel, Haifa, was blown up by a mine, while announcing the curfew this evening. A Jewish woman passer-by was slightly injured and her child seriously injured. An unidentified Jewish boy, aged about 9, was killed. \* \*

1	2	3	4	5	6
	1			2	

Reference:- **FO**

371 / 61903



## 33

It is reported that the two attacks on the radar installations on Mount Carmel, Haifa, in the early hours of Monday were carried out by the Resistance Movement as a protest against the stopping and deportation of the "Exodus" refugees. Considerable damage was done to one of the radar stations.

THE KNIGHTS OF COURAGE: ANNIVERSARY TO-DAY

The Government is holding So-ahron (Tuesday) at the King David Hotel in Jerusalem an anniversary memorial service for the victims of last year's terrorist outrage in blowing up the King David. The service will be conducted by an Anglican Bishop and the Chief of the Government has been invited to attend.

A BI-MACROBULAR SOLUTION

The "New York Herald Tribune" Jerusalem correspondent, John Rogers, reporting the end of the Inquiry Committee's visit to Palestine, says that members of the Committee are known to be thinking consistently of some form of a bi-national or federated state as possibly the best solution of the Palestine problem. Jews and Arabs will be expected to co-operate on this formula probably with the United Nations or some designated Power, or Powers, sitting perhaps indefinitely as referees."

TRIUMPH, MICHIGAN, AND PALESTINE

New York, July 13 (Palcor Agency).  
Drew Pearson reports some strain between State Secretary Marshall and President Truman owing to the President's insistence that the State Department should follow out the Executive's "top" headline.

A valiant battle is being fought in the United States for the passage of the Stratton Bill for the admission of Displaced Persons.

P.T.O.

1 2 3 4 5 6  
 1 2  
 Reference: - **FO**  
 371 / 61903

22nd July, 1947.

PALCOR BULLETIN

JEWS IN GREECE

New York, July 18 (Palcor Agency).

The American Jewish Conference is discussing with the State Department "reliable reports" regarding discrimination against Jews in Greece. The failure to implement the restitution laws to Jewish property is causing great suffering to Jews there. Anti-Semitism is partly to be ascribed to those Greeks wishing to hold on to Jewish property obtained illegally.

But true apprehension is due to "discriminatory actions and behaviour of some Greek officials. For example, although Jews receive passports, it is impossible for them to obtain the necessary permits of the Exchange Commission of the Bank of Greece. This in effect prevents them from leaving the country. Lately Jews of all nationalities passing through Greece, unlike other travellers, are not permitted to leave ports and aerodromes, while waiting for boats and planes. Unofficial explanations are that these restrictions have been urged by British authorities."

LEADING HUNGARIAN ZIONIST EXPELLED

Prague, July 19 (Palcor Agency).

Following the Jewish Community's election campaign and the success of the assimilationist group, Dr. Alexander Nathan, a trusted Zionist worker during the German occupation, popular among Jews, as well as among Hungarian officials, was expelled from Hungary without a reason and was ordered to leave within 72 hours.

The Jewish public in Hungary is outraged by the ruthless action and is vigorously protesting to the authorities.

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ALL ITEMS QUOTED MUST BE ACKNOWLEDGED

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77, Great Russell Street,  
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Bulletin No. 102. Vol. X.

Thursday, 24th July, 1947.

FRANCE AND THE 4,500 REFUGEES

No Compulsion to Land

Paris, July 23 (Palcor Agency).

The French Government to-day decided that, while it will permit the 4,500 Jewish refugees from the "Exodus" to land in France, the French authorities will not force the immigrants to disembark, as was expected by the British Government.

It means in effect that immigrants will be free to do as they please. What will happen to the refugees if they do land is not known, for while France would no doubt accommodate them for a short time, it is not likely that they would be permitted to remain in France, even if they wished to do so.

There is considerable apprehension in many quarters that since the French will not force the refugees to land, the British seamen might themselves make attempts to compel them to disembark.

If the refugees refuse to leave the ships and force will not be employed to remove them, the question arises as to their ultimate fate. The British cannot very well keep them on the sea, nor can they take them to Colombia, South America, as had been first suggested. For the Colombian Embassy in Paris issued a statement to-day maintaining that no visas had been issued to the Jewish immigrants, as was originally reported. And other authoritative statements leave no doubt that there is no likelihood of Colombia admitting 4,500 refugees.

France and Britain

The decision of the French Government not to force the refugees to land has caused some irritation in British official quarters. The British Government had led public opinion to believe that France had agreed to its action of bringing back the refugees to France, because they had embarked on the "Exodus" from a French port. It, however, transpires that France had not agreed to the drastic step contemplated by the British Government. The attitude of the French Government was made clear by the French Minister for Ex-Servicemen's Affairs.

Will Respect Human Rights

M. Mitterand, Minister for ex-Servicemen's Affairs, said: "France wishes to observe her agreements with the British Government, but it must be pointed out that these immigrants left France bearing passports and visas made out for Colombia. Therefore France could not prevent their sailing."

"France gave Britain an undertaking not to allow the embarkation on her territory of immigrants for Palestine. We consider that, in the circumstances, we have not broken our word. On the other hand, Britain has the right to ask us to abide by our undertakings, since she considers that France facilitated the embarkation of these emigres."

"France does not intend to impede decisions taken by Britain, but she has no intention of forcing the immigrants to leave the ship. She will, however, respect the rights of man by offering them hospitality."

P.T.O.

35

INDEXED

1	2	3	4	5	6

Reference:-

**FO**

371 / 61903

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26  
24th July, 1947.British Efforts To Influence France

Palcor Paris correspondent says that the British Foreign Office has done its utmost to influence France to force the landing of the immigrants. The British Ambassador, Mr. Duff Cooper, travelled a long distance to see the French Premier, to discuss the position. But British pressure apparently failed so far to alter the decision of the French Government not to depart from its traditional humanitarian policy. But the possibility is not ruled out that Britain will bring further pressure to bear on the French Government.

New Agreement Rumour

Unconfirmed reports circulating in London state that a new agreement has been reached between the British and French Governments about the 4,500 refugees now on their way to France. No details of this are known at present, but at a late hour last night important consultations took place between high British and French officials in London.

BRITISH CONDUCTAgency Comment On Foreign Office Statement

Jerusalem, July 23 (Palcor Agency).

A Jewish Agency spokesman to-day commented at a press conference on the Foreign Office statement that the destination of the refugees from the ship "Exodus" after reaching France is a matter for the French authorities, and described it as an extraordinary way of shifting the responsibility for the fate of 4,500 men, women and children.

Similarly, he continued, the spokesman of the Foreign Office attempted to avoid the responsibility and justify his Government's conduct by pretending that the Jewish struggle against the White Paper is not an Anglo-Jewish conflict, but a conflict between Jews and Arabs, and Britain's role is that of a mediator. But a mediator is one who intervenes between two parties with the purpose of reconciling them. One cannot recall any achievement by the Government in that direction. On the contrary, from the spokesman's own declaration it is clear that Britain's conduct is dictated solely by one criterion - Arab hostility, and that in turn is fed by Britain's own past vacillation and defection of its duty.

It must be repeatedly emphasised that Britain is in Palestine as a trustee and her duty is to facilitate, not to obstruct Jewish immigration. Jewish immigrants coming to Palestine are not illegal immigrants, as the Government spokesman insists. The two international bodies which inquired into the situation, the Permanent Mandates Commission of the League of Nations and the Anglo-American Committee, found the Government's position untenable.

Indiscriminate Shooting

The Jewish Agency spokesman then protested against indiscriminate shooting by troops and police in Jerusalem last night. It is obvious, he said, that their posts have to safeguard themselves when attacked but surely there is no justification in opening fire throughout the city as soon as an alarm is sounded, as has happened twice this week.

MRS. MEYERSON SEES CHIEF SECRETARY

Jerusalem, July 23 (Palcor Agency).

Mrs. Golda Meyerson, member of the Executive of the Jewish Agency, to-day saw the Chief Secretary of the Palestine Government, Sir Henry Gurney, and strongly protested on behalf of the Executive of the Jewish Agency against the deportation of the refugees from the "Exodus".

1
2
3
4
5
6

Reference:-  
**FO**  
371 / 61903

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24th July, 1947.

37

BRITISH SHIP BLOWN UP"Haganah" Protest against Deportations

Jerusalem, July 23 (Palcor Agency).

"Empire Lifeguard", a British transport ship which arrived on the Palestine coast to-day from Cyprus with about 300 immigrants aboard, was blown up this morning in Haifa harbour by an internal explosion after all immigrants had been disembarked.

It was officially learned that when the explosion occurred 40 or 50 immigrants were still on board. No casualties were caused among the immigrants or the crew.

The ship is not completely submerged, but is resting on her keel. It is officially stated that the hole blown in the "Empire Lifeguard" is reported to be approximately six by three feet.

The Jewish immigrants that were brought from Cyprus had permits under the monthly quota.

Protest against Deportations

"Kol Israel" (The Voice of Israel), Haganah's clandestine broadcasting station, announced to-day that the explosion on the "Empire Lifeguard" was Haganah's reaction to the deportation of the refugees from the "Exodus."

The "Empire Lifeguard" is a 8,000 ton ship used for the deportation of refugees. To-day's explosion is the fourth to occur on a ship used for this purpose.

YISHUV'S REACTION AND DETERMINATION

Jerusalem, July 23 (Palcor Agency).

The official announcement that the refugees of the "Exodus" are being sent back to France and will later be sent to Colombia has profoundly shaken the whole Yishuv. The reaction in the Press reflects but inadequately the Yishuv's anger.

"Haaretz" writes that the latest step of the British Government will undoubtedly cause terrible deterioration in the Palestine position. The British Government will not be able to strangle the endeavours of the remnants of European Jewry to come to Palestine, but, on the contrary, the latest action will strengthen the Jewish resolve to achieve their purpose. If the situation develops into an open struggle between the stubbornness of the British Minister and the will to live of the desperate people, nobody will be able to say who will be the ultimate victor. But stubbornness is no substitute for political wisdom and human feeling. It has become clearer than ever that the fate of Palestine cannot remain in the hands of Britain, but is becoming more and more an international question.

"Davar" says that if somebody in London stupidly thinks that in this way the question of the so-called illegal Jewish immigration will be solved, he will soon see that he is gravely mistaken. Human history is not made by such arbitrary decisions. The latest step of the British Government may not cause much surprise, but the Jewish people are wondering whether the French Government will agree to dance to the British tune.

"Haboker" says that never before was the tragedy of the Jewish people so clearly demonstrated as by the forcible return of

P.T.O.

1	2	3	4	5	6

Reference:-

**FO**

371 / 61903

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24th July, 1947.

4,500 refugees to their misery. The paper thinks that the matter should immediately be brought before the Security Council of the United Nations before the next session of the General Assembly in September, adding that the British action was provocative not only to the Jewish people, but to the international body now dealing with the problem.

"Hatzofeh" says that the British Government's latest steps will undoubtedly throw the country into new turmoil and cause serious disturbances. The tension is growing and there is no way out of the situation unless justice is restored.

"Mishmar" writes that Jewish immigration will not be stopped, but will continue despite all obstacles. "We are entering the gravest days of our struggle."

The "Palestine Post" says that the fact that the whole world does not want the "Exodus" refugees, except their own people, matters nothing to Mr. Bevin. What matters is that the refugees, because of their refusal to stay behind barbed wire, are turned into exile and dispersal. Jews will not accept this nor will they remain silent. The Jewish will to live must manifest itself even in the face of British diplomacy, even when confronted by guns, tanks and warships. The issues are of fundamental human needs, not visa formalities. In these issues Jews will continue to risk losses measured in lives, but they will hang on to lifeboats. In this vain process Mr. Bevin is dragging Britain to the loss of its soul.

#### Histadruth Cables French and American Socialists

Jerusalem, July 23 (Palcor Agency).

The Executive of the Histadruth have cabled the French Socialist Party, the General Secretary of the Trade Unions International Organisation, the A.F.L. and C.I.O. of America and fifty British Members of Parliament, protesting against the deportation of the "Exodus" refugees.

#### Protest to Truman and Marshall

New York, July 23 (Palcor Agency).

President Truman and State Secretary Marshall were called upon last night by the American Jewish Conference to lodge a formal protest with the British Government for the attack on the "Exodus" during which an American citizen, William Bernstein, was killed, and to demand that Britain cease her "illegal blockade" of the Jewish National Home.

The Conference demanded that the United States Government take the following steps: investigate into the incident, lodge a protest against Britain for violating the freedom of the seas and secure an assurance that similar violations of international law will not recur.

#### Government Statement Repudiated

London, July 22 (Palcor Agency).

A Jewish Agency spokesman at a press conference to-day repudiated the Government statement that those responsible for illegal immigration were responsible for the suffering of the refugees. Those who further Jewish immigration from Europe to Palestine are actuated by humanitarian feeling since Palestine is the only place to take Jews in and give them a new chance in life.

1	2	3	4	5	6
1	2	3	4	5	6

Reference:-

**FO**

371 / 61903

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### Colonial Secretary's Statement

London, July 22 (Palcor Agency).  
Mr. Sydney Silverman (by Private Notice) asked the Secretary of State for the Colonies in the House of Commons the present whereabouts of the 4,500 Jewish immigrants into Palestine who were removed by British Armed Forces from the vessel "Exodus 1947" in Haifa Harbour for transportation to Cyprus, who have not so far reached Cyprus, and concerning whose ultimate destination conflicting rumours are circulating.

Mr. Silverman: Has my right hon. Friend's attention been drawn to the statements made this morning that the transport to France is intended to be only to a port of embarkation for transport elsewhere, and that these people are to be transported not to France, except en route to Colombia, in South America? Can he say whether there is any truth in those statements or not?

Mr. Olvver Stanley: Is nt not a fact that many of these illegal immigrants had visas enabling them to go to Colombia? If they did not wish to go there, what was the object of getting those visas?

Mr. Gallacher: Is the Secretary of State not aware that we were informed over the radio that the decision had been taken to return them to France in agreement with the French authorities, and that since then we have been informed that the French authorities are not prepared to allow them to land in France? Can he give us any information as to what is going to happen to these unfortunate people?

people? Mr. Creech Jones: The position is that the action has been taken in agreement with the French Government, and they will be received in France.

Mr. Godfrey Nicholson: Is there adequate liaison between the Colonial Office and the Foreign Office? If there is, how came it about that the French Government were not warned of the likelihood of what occurred, because I am quite sure that the French Government did not wish to do anything inimical to this country?

country? Mr. Creech Jones: I think I can say that the French Government were fully aware of the possibilities of this situation.

Mr. Silverman: Are we to understand from my right hon. Friend's original answer that in no circumstances will British Armed Forces be used to compel these people to go to South America or anywhere else if they do not wish to go?

people to go to South America or anywhere else if they do not wish to go.  
Mr. Creech Jones: That is not a matter for the British Government. These ships will be sent to France and these passengers will be disembarked.

Mr. Silverman: May I point out that my right hon. Friend misheard my question? What I asked him was whether we were to understand from the original answer that in no circumstances will British Armed Forces - for whom the British Government, presumably, remain responsible - be used to compel these people to go to South America or anywhere else against their will?

to South America or anywhere else against their will?  
Mr. Creech Jones: The situation as described is purely hypothetical, and I can give no undertaking what will happen in hypothetical circumstances. All I can say is that these people are being returned to the port at which they embarked.

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1	2	3	4	5	6
	1			2	

Reference:-

**FO**

371 / 61903



24th July, 1947.

Mr. Janner: Is my right hon. Friend aware that these people, men, women and children - many hundreds of children - are victims on whom the most inhuman brutalities have been inflicted? Does he really expect them to wander over seas and lands for years without any hope at all?

Mr. Levy: Since it has been the practice to send illegal immigrants on to Cyprus, what is the reason for varying that practice in this particular case? Has my right hon. Friend considered also the effect in Palestine of that action, of which there are indications already?

Mr. Creech Jones: All circumstances were taken into most careful consideration. But surely it must be recognised that there are limits in regard to accommodation in Cyprus, and that there are very great difficulties in admitting into Palestine a very considerable number of Jews in one body.

Mr. Silverman: Will my right hon. Friend bear in mind that there are also limits to human endurance? May I press him for a definite answer on the question of whether British Armed Forces will in any circumstances be employed to transport people against their will on the high seas? Surely, we are entitled to have a definite answer to a question of that kind?

Mr. Creech Jones: I have answered the question by saying that these transports are bound for France, and that there the passengers will be disembarked.

#### BRITISH ACTION A CRIME

##### Dr. Neumann on "Exodus" Scandal

New York, July 23 (Palcov Agency).

Dr. Emanuel Neumann, President of the Zionist Organisation of America, at a press conference this afternoon stated that, while he had planned to devote the first meeting with the Press to a general summary of the Zionist position, he would confine himself mainly to the seizure of the Haganah ship "Exodus" and the incidents connected with it.

Whoever gave the orders, he said, I doubt whether the British people have grasped the enormity of the crime perpetrated by their Government and the full implication of its acts. The refusal to permit the survivors to land and find a sanctuary in the Jewish National Home is above all a crime against humanity. While the political future of Palestine is under consideration, the question would in no way have been prejudiced by permitting a few thousand refugees to find a haven in their own land. This is, of course, a flagrant violation of international law as embodied in the Mandate.

#### Piracy

The "Exodus", Dr. Neumann said, was attacked, rammed and seized by British Naval units not in the territorial waters of Palestine, but upon the high seas, thus constituting an act of piracy. In carrying out piratical seizure, the British armed forces battled the crew and defenceless refugees, killed three persons and wounding others. This has to be called by its right name:- It is murder. The British Government has brazenly flouted the unanimous resolutions adopted by the General Assembly of the United Nations on May 15th, asking for a truce in Palestine. The resolution was directed, not only to the inhabitants of Palestine, but to "all governments and peoples as well." It was clearly intended

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Reference:-

FO

371 / 61903

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to apply to the British Government which is closely concerned with the events in Palestine. The resolution called on all concerned to refrain from "threat or use of force, or any other action which might create an atmosphere prejudicial to an early settlement of the Palestine question."

"The Royal Navy has done the opposite. These acts of piracy and cruelty have greatly aggravated the situation in Palestine. For many months the Jewish Agency and the whole Zionist Movement have been engaged in a serious effort to discourage and control the anarchic activities of such underground elements as the Irgun Zvai Leumi and the Stern Group. We stood squarely behind the Haganah as the only legitimate and responsible Jewish underground organisation pursuing a constructive and disciplined policy approved by constituted Jewish authorities in Palestine. We are confident that the overwhelming majority of the Yishuv continue to support the Haganah and disavow the dissidents, but the British Government is doing all it can to make the task of responsible Jewish leadership increasingly difficult. It is following a course calculated to inflame and madden the youth of Palestine, to drive them to despair and provoke them into armed uprisings which will then serve as a justification for further repressive measures."

What is to happen to the refugees now, next month and during the coming winter, Dr. Neumann asked. Even the British Foreign Office ought to understand that if there is one sacred duty from which Jews of America will not shrink whatever the cost and effort involved, it is that of rescuing their European brethren. "We will continue to pour millions into this work of mercy and rescue and we call upon all men of goodwill, of whatever faith and creed, to help us."

#### PROTEST IN LONDON

London, July 24 (Palcoor Agency).

A mass meeting to protest against the action of the British Government in deporting thousands of Jewish men, women and children from Palestine and sending them back to Europe, will be held on Sunday, July 27th, at the Adolph Tuck Hall.

The mass demonstrative meeting has been organised by the Zionist Federation of Great Britain. Mr. Barnett Janner, M.P. will preside. Professor Brodetsky and others will address the meeting.

#### BRITISH MIZRACHI PROTEST

The Mizrachi Federation of Great Britain & Ireland has adopted a resolution expressing its grief and shock at the action of the British in deporting 4,500 Jewish immigrants (among them 1,000 children) and shipping them back to Europe. Much as one regards the deportation of Jewish immigrants to Cyprus as contrary to the law of the Mandate and a breach of moral principles, this act goes even further as an outrage against human feeling, the resolution declares.

This action is more than an illegal act; it is a moral outrage, one which will be upon the consciences of civilised human beings. It can only result in the heightening of the tension which already exists, widening the gulf between the Administration and the Yishuv, strengthening the hands of extreme elements and rendering the action of the organised and responsible components totally ineffective. The Mizrachi Federation of Great Britain & Ireland appeals to His Majesty's Government and to all men who still retain in their hearts the fear of God, to do their utmost to prevent the tragic consequences which must follow this action.

P.T.O.

1	2	3	4	5	6

Reference:- **FO**

371 / 61903

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24th July, 1947.

PALCOR BULLETIN

TWO JEWS MURDERED BY ARABS

Jerusalem, July 24 (Palcor Agency).

Two Jews were murdered by armed Arabs at Magdiel last night. At 3 a.m. three Arabs knocked at the door of the house of G. Bernstein, and as he opened the door they fired a number of shots killing him.

The same Arabs then attacked and killed the watchman of the colony, Mordechai Zuckerman.

BOMBS AND SHOOTINGS

Series of Incidents in Jerusalem

Jerusalem, July 22 (Palcor Agency).

Sirens in Jerusalem were again sounded this afternoon when three grenades were thrown at an army vehicle, now owned by a civilian, outside the Syrian Orphanage.

At 5 p.m. a jeep was fired upon in Keren Kayemeth Street in Jerusalem. One R.A.F. man and one Jewish passer-by were injured. The terrorists have probably used the court-yard of the house of Chief Rabbi Herzog, at the corner of Keren Kayemeth Street in Rehavia, for the attack. The houses in the vicinity, except the Chief Rabbi's, were searched by the military.

At 6 p.m., for the second time this afternoon, sirens were sounded in Jerusalem when a fire bomb was thrown at a police car in Zion Square. No casualties and no damage were caused.

Later in the evening the sirens were sounded once again. This time, according to an official statement, two oil bombs were thrown at two R.A.F. vehicles in Mea Shearim quarter. Shortly afterwards a police station was attacked with small-arms fire directed from houses in the vicinity.

Shooting for Hours

It is officially stated that an exchange of shots in the attack on the Mustasha police station in Jerusalem lasted for an hour. Spasmodic firing also took place in other Jewish quarters of the town.

A fire bomb was thrown at a military patrol in Agrippa's Way, Jerusalem, by two Jewish youths and a girl. One of the youths who was arrested, was wounded in the leg by a bullet. Another Jew was wounded by a bullet.

The alarm lasted for two-and-a-half hours.

Seven Jews Wounded

Jerusalem, July 23 (Palcor Agency).

For two hours last night the streets of Jerusalem were again the scene of indiscriminate and heavy firing by troops and the police.

Seven Jewish passers-by were wounded by stray shots.

Soldier Wounded

Jerusalem, July 22 (Palcor Agency).

It is officially stated that a British soldier was injured when a 15 cwt. army truck was blown up by an electrically detonated mine on Mount Carmel, Haifa, at 10 o'clock this morning. A second mine near the scene was rendered harmless.

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Reference:-

FO

371 / 61903

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24th July, 1947.

EXPLOSION IN HAIFA

Jerusalem, July 23 (Palcor Agency).

It is officially stated that an explosion occurred in Haifa this evening, near the Rothschild Hospital.

An Army officer was wounded at Hadar Hacarmel, Haifa, to-night during curfew hours, when a mine exploded under a military car.

OFFICER AND SOLDIERS WOUNDED BY MINE EXPLOSION

Jerusalem, July 23 (Palcor Agency).

An officer and a soldier were seriously wounded and five soldiers were slightly injured when two three-ton trucks were blown up by an electrically detonated mine at 9.00 a.m. this morning on the Gaza Road near Rishon-le-Zion. The mine consisted of two four-gallon tins filled with rivets.

SHOTS AGAIN TO-DAY

Jerusalem, July 24 (Palcor Agency).

The sirens sounded at 1.45 p.m. in Jerusalem when shots were fired at troops from waste ground behind the damaged Goldsmith House, King George Avenue, which at one time served as an officers' club. It is adjacent to the gate of security zone B.

No casualties were reported.

MILITARY CAR BLOWN UP

Jerusalem, July 23 (Palcor Agency).

A military jeep was blown up this afternoon near Raanana and three soldiers were injured.

NATHANYA'S EIGHTH DAY MARTIAL LAW

Jerusalem, July 23 (Palcor Agency).

It is officially stated that a quantity of arms was found during a search at Ramat Tioinkin in the Nathanya area, which has to-day entered its eighth day under Martial Law and complete isolation.

The arms, which were found in a well, consist of mortar bombs, gelignite, 465 rounds of ammunition, and grenades. A quantity of Irgun Zvai Leumi pamphlets was also discovered.

TRAIN SERVICE PARTIALLY SUSPENDED

Jerusalem, July 24 (Palcor Agency).

It is officially stated that from to-day, until further notice, passenger trains from Haifa to Cairo and from Cairo to Haifa will run from and to Benyamina only, 40 kilometres south of Haifa, also that there will be no through goods train service between Haifa and Lydda and the intermediate stations.

It is hoped that the services will be resumed on July 27th. Palcor adds that this partial suspension of train services is a result of sabotage.

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Reference:-

**FO**

371 / 61903

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Wednesday, 30th July, 1947.

Bulletin No. 105. Vol. X.

## 4500 Refugees Refuse To Land

"Alive and of our free will we shall land only in Palestine; we can be landed in Europe only as corpses." That was the unanimous reply given to the official French mission which boarded the British transport "Runnymede Park" at 9 o'clock this morning just after its arrival in the harbour of Port de Bouc, carrying the first 1,500 of the 4,500 "Exodus" refugees. The transports "Ocean Vigour" and "Empire Rival" with the rest of the refugees are at anchor outside the harbour. It is possible that one woman suffering with severe pneumonia and one or two others may land. None of the rest are willing to disembark.

The French delegation, consisting of an overall French Government representative and special representatives of the Foreign, Interior and Marine Ministries, led by the Prefect of Bouches du Rhone, M. Colavery, waited at the quayside of this small port, thirty miles west of Marseilles, since 5 a.m. - the time that the British said the transports would arrive. "Runnymede Park" came in long after 8 a.m. and dropped anchor. Correspondents were refused permission to board and when our correspondent went out by motor boat towards the ship, he got close enough to see the ship's rail lined with troops of the 6th Airborne Division and refugees cooped in cages in the fore and aft, before the police patrol boat drove him back to the quay.

The Prefect, M. Colavery, and interpreters were received by the British and led onto the bridge. The Prefect was requested to read the text of the French decision. (At the last moment last night the original text which had already been printed in leaflet form was changed under pressure of a British representative. A sentence was deleted wherein the French state that they would not use force to disembark unwilling refugees).

The Prefect began the reading of the text in the presence of a few refugees cooped in a wire-enclosed space below the bridge, when they cried: "If you want to read the declaration come down to us into the holds." This cry was repeated and eventually the Prefect requested the permission of the British to descend below. "We went down the first of the two holds", said M. Colavery, "where we found some 800 refugees, old and young, including pregnant women and babies and two and three-year-old children, all huddled, tightly packed in a squalid, stinking, foetid atmosphere, without beds. They looked weary, worn and ill. The spokesman of the refugees called for silence and I read the declaration which was translated sentence by sentence into Yiddish and Hebrew, offering French hospitality to any wishing to land. When I finished, the refugees sought further explanations, chiefly whether the French would force them to disembark. I replied that in accordance with the decision of the Government force would not be used, but asylum would be granted to any volunteering to land.

P.T.O.

1	2	3	4	5	6
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 Reference:-  
**FO**  
 371 / 61903

PALCOR BULLETIN

30th July, 1947.

Unanimous No

"The refugee spokesman then declared to me: 'All refugees here are ex-partisans and survivors of concentrations camps. We were herded into the British transports like cattle for the sole sin of seeking to reach our homeland, the only country wishing to receive us. We thank the French for their offer of hospitality which touches our hearts, but we are convinced that French opinion will understand that the only one course open to us is - return to Palestine.' When I asked them what about the sick, they replied: 'We will get well in Eretz Israel'."

After shouting "Vive la France", all refugees rose and sang "Hatikvah" and the delegation also stood to attention, some being moved to tears. The Prefect shook hands with the refugee spokesman before leaving to visit the other hold, where he had a similar experience.

## Six Children in Palestine

As he was leaving, a 45-year-old woman leading a child told the Prefect that she had six children in Palestine and four on the boat. M. Colavery said he was willing to take her off now. She replied: "No, I will go back to Palestine." The delegation informed the British that the refugees did not intend to disembark, whereupon the British Colonel in charge said: "Come back to-morrow and you will see more than a thousand will be willing to land. They are at present under the influence of bandits." The Prefect said he would return not to-morrow but at 3 o'clock this afternoon. In the meantime in view of the fear expressed to our correspondent by one member of the delegation that the British might use "all means" to force the refugees to leave the ship, the delegation left behind two doctors, two nurses, two French policemen and one interpreter.

The Prefect has gone to telephone the result to Paris and is to return to the "Runnymede Park" and then proceed to the second transport. It is unlikely that the third transport will be visited before to-morrow morning.

## A Slave Ship

One member of the delegation told our correspondent that the general impression was that "Runnymede Park" was a slave ship with sentries armed with sten-guns, tommy-guns and revolvers, guarding padlocked cages through which refugees thrust in the holds. Even off duty, the guards carry canes. Incidentally, "Runnymede Park" is the name of the place where Britain's Magna Carta was signed. Meal-times aboard are like feeding time at a zoo with the gate of the cage thrust open and buckets of food shovelled in. The member of the delegation added that he and his colleagues were much moved by the stand of the refugees despite all they have suffered.

## Worse Than Concentration Camps

Another member told our correspondent: "I was in a concentration camp during the war but I would not change conditions there for conditions on this ship." Most of the refugees have been kept in "black hole of Calcutta " holds for more than nine days and even luxury rollers on the Riviera which is at present suffering an unprecedented heat-wave can imagine what it is like.

Replying to questions, the Prefect said that the refugees complained of ill-treatment by the British during the voyage and many have received blows. Another member of the delegation said that the refugees told him that there was an incident five days ago, while the ship was at sea, when the guards opened fire and a number of refugees were killed, including children. He was unable to confirm the story, before going to press.

The Prefect showed our correspondent a pamphlet in Yiddish, which the refugee gave him saying it was distributed by the British after the ships left Haifa. The pamphlet declares: "You are being taken to Cyprus". He added that the refugees did not know where they were being brought, but after a few days at sea they guessed that they were being taken to somewhere in Europe. They did not know until this morning that their destination was France.

1 2 3 4 5 6  
 1 2  
 Reference:- **FO**  
 371 / 61903

30th July, 1947.

PALCOR BULLETIN

and police were on guard against demonstrations. On the way to the burial place, army armoured lorries and tanks preceded the hearse. When the bodies arrived at Safad, Jewish shops were closed and hundreds of holiday-makers participated in the funeral procession as well as local residents.

At the graveside, Rabbi Silvermann of Safad and the Chairman of the Community, Mr. Podhotzer, gave a short address and members of the family recited the Kaddish. The burial service was concluded with "Hatikvah". The graves of the three adjoin those of Dov Gruner and the three other Jews executed last April.

They Faced Death Bravely

Rabbi Ochana, of Haifa, who performed the last rites, revealed that the three men met their fate unmoved and conveyed messages to their relatives not to worry. The Rabbi himself was much moved, he had previously officiated as Chief Rabbi of Cairo at the executions of Habib and Tzuri after the murder of Lord Moyne.

TWO BRITONS DEAD

Bodies Found To-day

Jerusalem, July 30 (Palcor Agency).

The bodies of the two British sergeants, who had apparently been hanged, have been found in a Government forest, 10 kilometres south of Nathanya. Earlier the Irgun Zvai Leumi announced that they were tried before a "Military Court" and were condemned for intelligence service activities.

The news came as a great shock to the entire Yishuv.

The Irgun Zvai Leumi threaten to carry out reprisals for their three comrades executed yesterday. The sergeants, states Irgun, were not hanged as a reprisal, but because they warred against Irgun.

HEBREW EDUCATIONAL CONGRESS

Jerusalem, July 29 (Palcor Agency).

The Hebrew educational Congress opened at Mount Scopus to-day in the presence of a thousand people, including 120 delegates from the Diaspora.

The tense situation and the curfew have affected the scheduled opening ceremonies which were very modest. Dr. Eliezer Rigger of the Hebrew University opened the Congress. The speakers included Sir Leon Simon, Mr. I. Ben Zvi and Prof. Zvi Sharfstein from the United States. A brief talk by a young girl teacher from the Bombay Beni Israel congregation evoked great applause.

223 REFUGEES OFF TO CYPRUS

Jerusalem, July 30 (Palcor Agency).

The last group of 223 people from the two refugee ships which arrived in Haifa on Monday left Haifa for Cyprus in the early hours of this morning. 21 refugees have been taken to hospital at Attilith.

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1
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6

Reference:-

FO

371 / 61903

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30th July, 1947.

PALCOR BULLETIN

A delegation of press representatives expressed high praise for the behaviour of the Prefect, M. Colavery: "It was correct, warm-hearted and humanitarian and an honour to the French Republic."

Until this afternoon we leave the refugees sweltering and suffocating in the stinking holds of the British transport, "Runnymede Park", while the authorities ponder over the fate of the survivors from death camps trying to reach the end of their long voyage home.

(From Maurice Pearlman, Special Correspondent for "P.M.", New York).

NO AGREEMENT

Says French Government

Jerusalem, July 29 (Palcor Agency).

A Jewish Agency spokesman disclosed at a press conference in Jerusalem to-day that the Jewish Agency has to-day received from the French Government the following message:-

"According to the growing number of rumours in the foreign press, it would appear that the taking of the "Exodus" refugees by the British authorities to France has been done in agreement with the French Government. Foreign correspondents also maintain that France and Great Britain have concluded a secret agreement limiting Jewish immigration into Palestine.

"In reply to these rumours the French Foreign Ministry stresses that following repeated British notes, the French Government has simply issued orders to relevant French authorities to verify the authenticity of visas for any destination and to ensure the application of conventions concerning the safeguarding of human lives. These orders are obviously applicable without distinction of race or religion to any immigrants leaving French territory. An exchange of letters between France and Britain is the only document in which both Governments have treated the question of Jewish refugees. There is no foundation to the rumours regarding an agreement concerning the limitation of Jewish immigration to Palestine as indicated by some news agencies in connection with the decisions taken solely by the British authorities. The French Government will apply the same liberal attitude vis-avis the refugees from the "Exodus".

FATE OF KIDNAPPED BRITONS

Vaad Leumi Appeal to Irgun

Jerusalem, July 29 (Palcor Agency).

The Vaad Leumi met in an extraordinary session to-day and issued an appeal to the Irgun Zvai Leumi saying that the Yishuv was greatly shocked at the Government's refusal to heed the many pleas of the Jewish Community and to stay the executions. But, it adds, acts of reprisals against the two innocent Britons will be regarded "as an act of blood which is contrary to all humanitarian ethics and as an unforgivable crime against the Yishuv and the Jewish people."

Sentries were posted at Zion Circus, Jerusalem and other prominent squares, following telephone calls to the police that the two Britons will be hanged in public. The military police took up vantage points, looking out all day for signs of sinister designs.

FUNERAL OF EXECUTED JEWS

Jerusalem, July 29 (Palcor Agency).

The burial of the three men executed at Acre gaol took place at Safad before noon to-day, in the presence of a large gathering of mourners. The bodies were handed over by the prison authorities to Haifa's Chevra Kadisha on the condition that they would be buried at Safad where large contingents of troops

P.T.O.

1
2
3
4
5
6

Reference:-

FO

371 / 61903

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1/8/1947.

INDEXED

In the afternoon they received hot rice with dried milk which, it was claimed, was indigestible, and in the evenings a soup mixture which at first contained meat but later had no meat.

The witness said that there was only one doctor for 1,500 passengers and he was no good. He complained that his head, which received a minor concussion, was treated badly.

The British soldiers, he said, were tough for the first few days but later were sympathetic to the refugees. They were mainly tired of their policing job and critical of the Government which forces them to do it. His ship, the "Ocean Vigour", fortunately had two British troop commanders who were both humane and saw that there were no incidents of brutality, he declared.

Jewish Agency circles here, commenting on the statement issued yesterday by the British Consulate, said that it was dodging the issue. It was not a question of individual cases of brutality. The main issue was why human beings were forced to sail in cages under such conditions at all.

Miss Laura Margolis, Director of the Joint Distribution Committee for France, who is supervising the distribution of food supplied by the J.D.C. daily, said that although there are on board many women in the ninth month of pregnancy they refused to come off. The health of nursing mothers, she declared, had been endangered because they had been getting only two spoonfulls of tinned milk mixed with cold unboiled water. The stomachs of most of the refugees, she said, were so bad that they could hardly eat solid food. Fresh fruit is now being shipped to the refugees.

#### Landing In France - Best Solution.

London, July 31st. (Jewish Telegraphic Agency).

Authoritative quarters to-day confirmed that, while no decision has yet been taken on the destination of the transports in case the refugees persist in their refusal to land in France, the possibility of their being brought back to Palestine or transferred to Cyprus is out of the question. "Where they now are is the nearest point to Palestine they can hope to get," it was stated.

The refugees, it is believed in official quarters here, would be well advised to go on land in France where generous hospitality has been offered to them without any restrictions and where they could wait for some possibility of final settlement or for their turn to go to Palestine under the quota or for a decision by the United Nations which might alter the entire picture. Only thus, it is believed, could they avoid physical hardship inevitably involved in a further transfer, no matter to which place.

#### AUSTRALIAN DELEGATE HEADS UNSCOP COMMITTEE GOING TO D.P. CAMPS.

Geneva, July 31st. (Jewish Telegraphic Agency).

The United Nations Special Committee to-day appointed a ten-man sub-committee to visit displaced persons camps. Mr. John D.L. Hood, of Australia, was appointed Chairman of the sub-committee, which also includes Dr. Granados, of Guatemala, Professor Fabregat, of Uruguay, and the alternate delegates of Sweden, India, Czechoslovakia, Canada, Iran, the Netherlands and Yugoslavia.

Peru is not represented on the sub-committee as Dr. Salazar is both alternate and delegate and feels that he should attend the Committee talks here while the sub-committee visits the camps. He also feels that he is not up to the strenuous trip.

The itinerary will be decided to-morrow after a conference with the Jewish liaison officers, but it is understood that the trip will probably begin next Monday. The sub-committee will travel in a military plane and the investigation will probably take about one week. The itinerary is expected to include the American and British zones of Austria and Germany, with stops at Berlin, Vienna, Frankfurt and Munich, where testimony will probably be taken from representatives of the Central Committees of Displaced Jews.

Italy is not likely to be visited. There had been discussion within the Committee regarding the appointment of two or three small sub-committees to visit different D.P. camps simultaneously but this was vehemently opposed by the Indian delegate.

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371 / 61903



1/8/1947  
E-325 / 585/7

MORE JEWISH ORGANISATIONS CONDEMN MURDER IN PALESTINE.

6 AUG 1947

London, July 31st. (Jewish Telegraphic Agency).

Statements condemning the murder committed in Palestine were issued here to-day by the Anglo-Jewish Association, the Zionist Federation of Great Britain and Ireland and the Agudath Israel World Organisation.

The Anglo-Jewish Association stressed that in common with other Jewish bodies, it has again and again denounced the Jewish terrorists in Palestine. "Their hideous deeds," the statement says, "have now culminated in a barbarous act of a kind peculiarly repugnant to civilised men. The Association is reflecting the distress which is felt throughout the Anglo-Jewish community in expressing its deep grief and horror at this shameful outrage and it is hoped that those responsible may be called to justice.

The Zionist Federation, in expressing horror at the murder associated itself with the Jews in Palestine in their grief at this "wanton crime" and expressed its deepest sympathy with the bereaved relatives of the two men.

Speaking at a meeting of the Executive of the Agudath Israel World Organisation, Mr. H.A. Goodman, Political Secretary, said that reports have been confirmed that two British soldiers had been wantonly murdered by Jews in Palestine. They had committed a crime for which there was no pardon and had betrayed 3,000 years of Jewish history and civilisation.

He demanded that the Rabbinate in Palestine should solemnly excommunicate these people and those associated with them.

At the same time, Mr. Goodman suggested that some means must be found to end the present tragic deadlock between England and the Jews who, he said, had been friends since the days of Cromwell, a friendship which was so gravely endangered at this moment.

CONDITIONS ON BOARD TRANSPORTS CARRYING REFUGEES: "CONSTANT HUNGER-NO BEDS."

Port de Bouc, July 31st. (Jewish Telegraphic Agency).

A new mystery is developing regarding the length of the stay of the transports carrying the Exodus refugees. Indications are that they might remain a few more days, possibly longer. As far as can be learned, the ships have no food or coal and apparently, the British authorities are not anxious to get them. French sources reported that it had been announced by the crews that the ships have either no more food or only one day's supply.

There are no official figures giving the number of those who have already got off the ships but it seems that the total is between thirty and thirty-five. They are mostly elderly people or families with young children.

Following the statement issued yesterday by the British Consul-General regarding conditions on board the ships, a memorandum was made public to-day signed by a Jewish doctor and three members of the Committee of Refugees on board the "Empire Rival."

The memorandum, which is counter-signed by the Commander of the British troops, Major G.P. Elliot, says that "inhuman conditions prevail for 1,526 people, including 500 children, who are living in extremely overcrowded conditions under a state of constant hunger."

The refugees had no beds or bedding, the memorandum adds. They slept on the open deck or on the floor of the holds. Sanitation was inadequate, making the ships a breeding ground for sickness and disease and the great majority of the children were already ill with skin diseases due to the lack of a proper diet.

The memorandum urged that a Red Cross ship be sent to take care of them.

A 20-year-old American who volunteered to serve as a deck-hand on the "Exodus 1947", also gave an account of the intolerable conditions on the transports. His name can, for obvious reasons, cannot be revealed. Wearing dark glasses and showing three holes in his head received during the Haifa battle, he said that the refugees received in the morning hot tea without sugar or milk and a supply of hard biscuit to last the whole day.

1	2	3	4	5	6

Reference:-

**FO**

371 / 61903

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1/8/1947.

"I can only express the deep feeling of horror and repulsion felt by all here at this barbarous crime. I am sure the House will wish me to convey our most sincere sympathy to the families and friends of the murdered men who have endured the long days of waiting and now have suffered this irreparable loss. The Government also pay tribute to the Services in Palestine for their courage and good bearing in conditions of risk and arduous responsibility.

"Such an outrage against men discharging a service in fulfilment of international obligations is not only abhorrent in the eyes of all civilised persons everywhere, but must surely mean the final condemnation of the terrorists in the eyes of their own people. We can only hope that this latest act will stir the Jewish community in Palestine to root out this evil in their midst."

Mr. Maurice Edelman: "Will you take unrelenting steps to see to it that the authors and inspirers are brought to justice and to see that the dependents of the innocent victims are properly cared for?"

Mr. Creech Jones: "The High Commissioner, police and military authorities will do and are doing everything in their power to secure that end. I will consult with the Secretary of State for War in regard to the second part of the question."

Mr. Oliver Stanley associated the Opposition with the expression of sympathy made by the Minister towards the families of the victims of this dastardly outrage. The Opposition had refrained from asking for any debate on this matter so long as any hope existed, but now that the final tragic news was confirmed did the Minister not agree that it would be impossible for the House to adjourn for some months without a discussion in which it would be possible for him to state fully what steps the Government intend taking in view of this challenge to all authority.

Mr. Creech Jones: "I think the question put to me as to the possibilities of some discussion on this matter must be addressed to the Leader of the House.

Squadron-Leader E.L. Fleming: "Will the Minister state whether there has been any expression of horror at this outrage by the Jewish Agency on behalf of the Jewish people?"

Mr. Creech Jones: "I can only say so far I have not seen any official statement from the Jewish Agency."

#### Jews in Great Britain Filled With Horror.

Mr. S.S. Silverman: "Will he bear in mind that I, speaking for nobody but myself, as one who has taken his share in trying to awaken public sympathy in what I regard as a just cause, felt that I ought to express my own sense of deep shame and humiliation that this cause should have been so stained with innocent blood."

Mr. Barnett Janner: "As one who also frequently advocates the justice of the cause in Palestine, may I express my very deep horror and regret and sympathy with the relatives and may I say that there is no question at all that the whole Jewish community in this country, the Jewish Agency and Zionist Federation, regard this dastardly deed with horror."

Vice-Admiral Taylor: "Has martial law been introduced?"

Mr. Creech Jones: "During the period of the search certain areas were cordoned off and very strong security measures taken. That position, I think, applies in certain areas at present."

Vice-Admiral Taylor: "Is there any reason why it should not be instituted at once?"

Mr. Creech Jones: "I have just answered that as soon as these men were kidnapped strong security measures were taken in certain areas and, I believe, there are certain areas where special defence measures operated.

Later, Mr. Eden questioned Mr. Morrison regarding arrangements for a debate on Palestine before the adjournment and Mr. Morrison said that certainly discussion could proceed through the usual channels to see what could be done about it. "I am bound to say, however, that a debate would be useful about this particular thing," he added.

Mr. Eden said that if Mr. Morrison did not think it could be arranged through the usual channels, the Opposition would have to find some means of securing it even if it meant sitting on Saturday.

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371 / 61903

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E 5221 / 4/8/1947.

p. 53.

INTERNATIONAL RED CROSS TO INVESTIGATE CONDITIONS ON BOARD 1947  
REFUGEE SHIPS: DEPORTEES CHECKED BY NEWS OF UNSCOP VISIT TO CAMPS.

Port de Bouc, Aug. 3rd. (Jewish Telegraphic Agency).

The situation with regard to the three British ships with the 4,500 refugees of the "Exodus 1947" on board remains unchanged, and British sources do not confirm French reports claiming that the ships would pull out on Tuesday. They said they had not received word from London to that effect. Meanwhile the British authorities showed interest in the fact that many reporters are leaving the area and that public attention is shifting away from here.

It was announced that doctors of the International Red Cross in Geneva have arrived to board the ships and investigate conditions under which the refugees are held. Two or three sick persons disembarked yesterday and eleven, including ten seriously ill persons, last Friday. It is anticipated that health conditions will force about 15 people daily to go ashore. There are still no exact figures available as to the total number of those who have left the ships till now. The French say that about 80 have landed, while the British give the number as over 100.

The food situation has considerably improved after supplies had been rushed to the refugees. The Joint Distribution Committee representative told the J.T.A. correspondent that more than 35 tons of supplies, including milk, fruit, meat, eggs, bread, mineral water, cigarettes and medical supplies, were delivered to the passengers since last Wednesday. The major share of the food for the immigrants comes from the Joint Distribution Committee and the rest is being supplied by the Entr'Aide Française. The food is so good that British soldiers are complaining that the refugees are now much better fed than they themselves.

As orthodox Jews on board the ships had refused to accept food not prepared strictly in conformity with dietary laws, Miss Laura Margolis, J.D.C. Director for France, obtained dispensations from the Jewish ecclesiastical authorities who ruled that the food supplied could be eaten by children, pregnant women, the aged and the sick. Since virtually everyone on board is sick, suffering at least from stomach trouble, this amounts to a general dispensation.

J.D.C. officials are worried over the fact that the British ship commanders have given no indication as to whether the ships will take on food before departing. It is learned that negotiations are now going on in Paris to ensure continued food supplies, particularly if the French decide not to keep on supplying food.

Last Friday an Indo-Chinese mission appeared at Port de Bouc with presents of chocolates, cigarettes and other items for the refugees.

The morale of the refugees has been greatly heightened by all these manifestations of sympathy and friendship, as well as by the news that the United Nations Special Committee has decided to send a sub-Committee to the camps in Germany. The refugees feel that they have contributed in some measure to this decision, remembering that the Committee Chairman, Judge Emil Sandstroem, and the Yugoslav delegate, M. Vladimir Simic, had watched the arrival of the "Exodus 1947" at Haifa.

Despite the great care given to the refugees, the medical situation is still unsatisfactory. Medical supplies are still short, and last Friday Jewish doctors were not allowed to board the ships. It is alleged that commanders ordered port-holes to be kept closed and did not allow refugees to go on deck to have fresh air.

Yesterday some trouble was caused by Col. Gregson, commander of the convoy, when he refused to accept food deliveries to his ship, the "Runnymede Park", and a representative of the Entr'Aide Française went out to see him and change his mind.

In contrast to the attitude adopted by that officer, the officer in charge of the "Empire Rival" permitted Jewish doctors and nurses to stay aboard ship all day, while the commanders of the other two ships did not.

Although nothing has been announced as to what will ultimately happen and the refugees are remaining here in the stifling heat, it is believed that the French may take steps to remind the British that the ships cannot stay forever. There is also a possibility of an attempt to induce the refugees to land by promising them a priority over the Cyprus refugees regarding future admission to Palestine.

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371 / 61903

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DAILY NEWS BULLETIN

Issued by the  
JEWISH TELEGRAPHIC AGENCY, LTD.

Chronicle House,  
72/78, Fleet Street,  
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Telegrams: Jewcorrau London.  
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Telex: Central Telex 9222.

Vol. XXVIII. No. 179. 6 pages. Monday, 4th August, 1947.

UNSCOP VISIT TO D.P. CAMPS: SUB-COMMITTEE'S DEPARTURE MAY BE DELAYED.

Geneva, Aug. 3rd. (Jewish Telegraphic Agency).

Mr. John L. Hood, Australian Chairman of the ten-man Unscop sub-committee scheduled to leave early this week for a seven-day tour of displaced persons camps, told the Jewish Telegraphic correspondent here to-day that he saw two important tasks before his committee.

The first was to check up, as it were, on the findings of the Anglo-American Committee and to determine whether the vast majority of displaced Jews still wish to go to Palestine. Mr. Hood interposed that he thought it likely that this was still the case although, of course, he added, the situation may have changed in the last seventeen months.

The second task will be to determine whether there is still a movement of Jews from the East into the American zone, what causes this movement, and if it is likely to continue in the future. It is for this reason, Mr. Hood said, that the committee is visiting Vienna.

This committee has not asked any authorities beforehand to attempt a census of the emigration wishes of the displaced persons. Last year, the Anglo-American Committee cabled U.N.R.R.A. beforehand to have ready figures and estimates. Mr. Hood said that his committee would attempt no definitive census but would try and do some checking on the spot and take estimates from officials in the camps. Last year the procedure was to question U.N.R.R.A. officials, Military Government officials and representatives of the Jews in the camps. A similar procedure probably will be followed this time with various officials being asked to give their estimates.

Meanwhile a hitch seems to have developed in the plan of the sub-committee's departure. The latest information is that there are no planes available and no cars, and Dr. Victor Hoo, Mr. Trygve Lie's representative here, has cabled to New York asking to expedite matters.

M. Vladimir Simic, the Yugoslav delegate, to-day told the J.T.A. correspondent what his motives were in voting against the proposal to visit the camps. He said he had been a prisoner of war and political suspect for two-and-a-half years. He knew, he said, that Jews in D.P. camps want to go to Palestine. That was a fact, and he assumed that the Committee must recognise that fact.

M. Simic added that he doubted whether the Committee had very much time now. Speaking for his delegation, he declared, he did not feel that he was bound to complete the work of the Committee by the September 1st deadline. He pointed out that the Anglo-American Committee had four months at its disposal, whereas the present Committee had less than three months. The problem was an enormous one and therefore he would not be bound by the deadline.

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371 / 61903

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p.w. 54

Departments  
g paraphrased.

6-10-1947

Copies to: CIGS  
VCIGS  
DMO  
DDMO(A)  
MO1 4(8)  
DMI  
MI 1,3,4.  
VQMG  
Foreign Office (Mr Beeley).  
Colonial Office (Mr Fitzgerald).  
Admiralty (Mr Dodds).

[illegible]

Le gouvernement français a adressé un message aux émigrants de l' "Exodus" leur faisant savoir qu'avec leur asile sur le sol national où ils jouiront de toutes les libertés que la France a toujours accordées à tous ceux qui viennent.

**“Nous ne descendrons pas v**

## La HAGANA s'adresse aux réfugiés de l'“Exodus”

Au premier plan, un délégué de la Hagana sur une vedette munie d'un haut-parleur, adresse des exhortations aux réfugiés de l'« Exodus » qui se trouvent à bord d'un des « Liberty Ships » en rade de Port-de-Bouc.



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Le gouvernement français a adressé un message aux émigrants de l' "Excelsior" leur faisant savoir qu'avec leur asile sur le sol national où ils jouiront de toutes les libertés que la France a toujours accordées à tous ceux qui viennent.

“Nous ne descendrons pas”

## **La HAGANA s'adresse aux réfugiés de l'“Exodus”**

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327



aux émigrants de l'« Exodus » leur faisant savoir qu'avec leur assentiment, il leur sera donné asile  
certés que la France a toujours accordés à tous ceux qui viennent chercher asile sur son territoire.

# descendrons pas vivants !

## La HAGANA s'adresse aux réfugiés de l'« Exodus »

Au premier plan, un délégué de la Hagana sur une vedette munie d'un haut-parleur, adresse des exhortations aux réfugiés de l'« Exodus » qui se trouvent à bord d'un des « Liberty Ships » en rade de Port-de-Bouc.



## répondent les passagers grillagés sur les ponts

*Seule une vieille femme atteinte de  
pleurésie demande à être débarquée*

### L'OCEAN-VIGOUR

lève subitement l'ancre  
pour une destination  
inconnue.

### L'EMPIRE-VALOUR

et le « Runymède »  
sont encore en rade de  
Port-de-Bouc.

(De notre envoyé spécial Lucien TROMPETTE)

Port-de-Bouc, 29 juillet. — Toute la nuit fut, à Port-de-Bouc, d'un calme relatif, insolite. Aucun service d'ordre, pas de groupes sur la promenade, ni au port.

Pourtant, les ouvriers et les pêcheurs se sont attardés un peu plus longtemps que de coutume à la terrasse des cafés. Ils regardaient avec curiosité quelques journalistes étrangers encore assez rares, mais dont le petit groupe ne manquait pas de pittoresque.

Les camions de l'Entraide française, seuls, annonçaient par leur présence l'événement attendu. Cependant que dans le port la vedette de l'inscription maritime des Martigues se voyait doter pour la circonstance, d'un magnifique haut-parleur avec amplificateur.

Les premiers camions des compagnies républicaines de sécurité qui assureront l'ordre sont arrivés vers cinq heures, ce matin. Puis, les ambulances, le matériel divers et, enfin, les personnalités parmi lesquelles l'amiral commandant la base de Marseille, M. Colas-Verri, secrétaire général de la préfecture des Bouches-du-Rhône ; André Blumel qui doit lire aux immigrants juifs la déclaration du gouvernement français.

Maintenant, une multitude de journalistes de tous pays — il en est arrivé des Etats-Unis par avion et même de Palestine — accompagnés de photographes, attendent, aux côtés des personnalités officielles, que soit signalé le premier des navires qui croisent au large.

Devant la petite école de Port-de-Bouc, où la Croix-Rouge donnera aux émigrants les premiers soins dont ils ont besoin, l'Entraide française a installé une cuisine roulante qui permettra la distribution rapide de café et de lait chaud. Quatre camions ont amené également des vivres et des milliers de bouteilles d'eau minérale. De son côté, l'Assistance publique a fait diriger sur la ville des camions et des ambulances : les premiers transporteront les émigrants au camp de Calas, tandis que celles-ci conduiront les malades et blessés vers les hôpitaux de Marseille.

On remarque également la présence de plusieurs centaines de jeunes israéliens des divers groupements et camps sionistes de la région.

Peu avant huit heures, la brume matinale se lève et les silhouettes des navires d'escorte de la Royal Navy apparaissent : l'Empire-Valour, le Runymède, Park, l'Océan Vigour.

Les canots de la police patrouillent et une vedette ayant à son bord les services sanitaires et les personnalités officielles se dirige vers les navires.

Les journalistes qui avaient affrété des embarcations sont bientôt refoulés...

### L'offre française

Vers 9 h. 30, alors que les trois destroyers anglais patrouillent au-delà des eaux territoriales, un pavillon jaune est hissé au mât du premier navire visité par la

## L'« Exodus »

### [2 Suite de la page 1]

Cette déclaration a été traduite en yiddish à trois reprises différentes. Un jeune immigrant a répondu au nom de ses camarades disant qu'ils étaient très sensibles à l'offre de la France mais qu'ils ne pouvaient l'accepter :

— Nous demandons à retourner en Palestine : c'est notre seul désir. Nous ne débarquerons nulle part, ailleurs, sinon morts.

Alors les immigrants ont crié : — Vive la France !

Puis ils ont entonné en chœur l'hymne national juif.

Dans toutes les cales, où les malheureux sont parqués et enfermés derrière une porte grillagée, la même réponse obstinée fut recueillie.

Une femme atteinte de pleurésie accepta et fut évacuée sans incident. Deux vieillards à bout de forces se laisseront également conduire à terre. Mais de nombreux malades — quelques-uns gravement atteints — refusèrent de quitter le bord. Un peu plus tard un jeune couple de nationalité roumaine put être ramené à terre.

Cependant de nombreux canots et bateaux de pêche tentent d'approcher des navires errants. Un petit avion civil français, probablement loué par la Hagana, survole un moment l'Océan Vigour à très basse altitude, peut-être pour jeter des tracts, mais il y renonce bientôt et se dirige vers les deux autres navires. Inlassablement, des vedettes rapides de police tournent autour du Liberty-ship et des deux cargos, chassant les « curieux ».

Dans la soirée les autorités françaises accompagnées par les autorités britanniques ont tenté une nouvelle démarche auprès des émigrants, démarche qui n'eut pas plus de résultat que celle de la matinée. La majorité

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Reference:-

371 / 61903

Les canots de la police patrouillent et une vedette ayant à son bord les services sanitaires et les personnalités officielles se dirige vers les navires.

Les journalistes qui avaient affrété des embarcations sont bientôt refoulés...

### L'offre française

Vers 9 h. 30, alors que les trois destroyers anglais patrouillent au-delà des eaux territoriales, un pavillon jaune est hissé au mât du premier navire visité par le service sanitaire: il n'y a pas d'épidémie à bord. Le débarquement peut donc commencer.

Mais, à 10 h. 15, M. Collaveri, secrétaire général des Bouches-du-Rhône, qui représente le gouvernement, revient à quai, à bord de sa vedette. L'offre du gouvernement français de donner asile aux immigrants avait été refusée.

Peu après, au commissariat de police, M. Collaveri fit à la presse le récit de sa visite sur le *Runymede Park* et l'*Océan Vigour*. Les autorités françaises comprenant MM. Taddel, représentant le ministre des Affaires étrangères, Rousseau, le ministre de l'Intérieur, Cayla, le ministre de la Santé, ainsi qu'André Blumel, président de l'Union sioniste, furent autorisés à parler aux immigrants et leur transmittèrent la déclaration suivante:

— Le gouvernement français tient à faire savoir aux immigrants qu'avec leur assentiment il leur sera donné asile sur le sol national où ils jouiront de toutes les libertés que la France accorde à ceux qui cherchent asile sur son territoire.

2 Suite en page 4

survole un moment l'*Océan Vigour* à très basse altitude, peut-être pour jeter des tracts, mais il y renonce bientôt et se dirige vers les deux autres navires. Inlassablement, des vedettes rapides de police tournent autour du Liberty-ship et des deux cargos, chassant les « curieux ».

Dans la soirée les autorités françaises accompagnées par les autorités britanniques ont tenté une nouvelle démarche auprès des émigrants, démarche qui n'eut pas plus de résultat que celle de la matinée. La majorité des passagers des trois navires refuse de quitter le bord. Cependant que l'opinion de la minorité qui serait relativement importante, dit-on, ne s'exprime pas clairement.

La situation est donc stationnaire et aujourd'hui vraisemblablement les pourparlers vont continuer entre les émigrants et les officiels. La police veillera sans doute à ce qu'aucune propagande extérieure au bord du bateau ne vienne toucher les émigrants. Toutes dispositions sont prises pour continuer de leur assurer les soins et la nourriture dont ils ont besoin en attendant qu'une solution intervienne en leur faveur.



**TOP SECRET**

IN

(\*NOTE: Messages shown as having been sent in a One-Time Pad:  
"O.T.P." are excepted from this rule.)

Recd. 1205

IMMEDIATE.

Following is a repetition of my 021632A begins.  
Top Secret. Addressed Admiralty Info. C. in C. MFCF.  
From D.3. Ref. A.M. 011945. Following has been received from  
Colonel Gregson which it is requested you will pass to  
War Office. Begins. Memorandum was handed to O.C.  
Troops Major G. P. Elliot during voyage. He retained  
one copy and signed on bottom of other copy "received  
one copy name rank date". This was returned to I.J.I's.  
Presume word "Received" has been altered or erased.  
D.T.G. 021335A ends.

Advance copy D.O.D. Hd. of M.  
D.M.I. sent 1300/7th

/ Not previously recd. in Admiralty

Recd. as War Office 011825

1st Lord  
1st S.L. (3)  
V.C.N.S.  
A.C.N.S.  
Secretary  
Naval Secretary  
D.C.(2)  
O.D.(8)  
D.N.I.(5)  
D. of P.(2)  
M.(8) and for War Office  
D. of P.(Q) (2)  
U.S.S.

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 371 / 61903



1947	E	E 5361 JUN 21 1947
	PALESTINE	

Registry Number } 5344/100/11. FROM 18.1.1 No. New York. Dated 11.9. Received in Registry } 11. June 1947 21	<i>English by Mr. &amp; Mrs. J. H. H.          100 to 1000 to New York          meeting of 100 to 1000 to New York          meeting of 100 to 1000 to New York          meeting of 100 to 1000 to New York          meeting of 100 to 1000 to New York</i>
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Last Paper. 5325	(Minutes.) See E 5325
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References.	UN. Dept. <sup>4/16</sup> 25/16 JB. June 23
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(Print.)	
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(How disposed of.)	
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(Action completed.) G.P. 11/16	(Index) 11/16 9/9/48
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Next Paper. 7859
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1	2	3	4	5	6

Reference:-

**FO**

371 / 61903



N 169 (193/18/47)

HIS Majesty's Permanent Delegation to the U.N.  
presents his compliments to H.M.P.S. of S. for F.A.  
and has the honour to transmit to him the under-mentioned documents.

British Delegation to the  
United Nations  
New York.

E 5381

16th June, 1947.

Reference to previous correspondence:

Description of Enclosure.

Name and Date.	Subject.
Letter to Representative of U.K. Delegation to U.N. also a memo. from Political Adviser, Jewish Agency for Palestine Dated June 11, 1947.	Protesting British policy re "illegal immigration".

3470A [31211] (8)

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FO

371 / 61903

C O P Y

59

The Jewish Agency for Palestine  
16 East 66th Street  
New York 21, N.Y.

June 11, 1947.

Dear Sir:

On behalf of the Jewish Agency for Palestine,  
I have the honor to submit for your information and for the  
information of your Government, two copies of a memorandum  
transmitted by us on June 9th, 1947, to the Secretary-  
General of the United Nations and circulated by Mr. Trygve  
Lie to members of the Special Committee on Palestine.

I have the honor to be, Sir,

Your obedient servant,

(Sgd.) Lionel Gelber

Lionel Gelber  
Political Advisor  
Jewish Agency for Palestine.

The Representative  
The United Kingdom Delegation to the U.N.  
Empire State Building, 61st Floor  
350 Fifth Avenue  
New York, N.Y.

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371 / 61903



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371 / 61903

only be described as a devious and improper stratagem to which it is regrettable that the Secretariat has given its support.

8. But beyond that, it must be observed that the United Nations is not committed to the immigration policy of Great Britain in regard to Palestine and can, therefore, take no action on this score. As for the statement of the British representative that "illegal immigration" should be discouraged while the matter is sub judice, it must be emphasized that, by Article 80 of the Charter, Great Britain is committed to respect the right of the Jewish people under the Mandate to have its immigration to Palestine "facilitated" and not curbed. It is urged that the proper course would accordingly be for the Mandatory Government to revert to the obligations to which it is committed under the Mandate and, pending the inquiry, to abandon its illegal restrictions on Jewish immigration. The Secretary-General, by asking the member nations to inform him as to the action taken by them in pursuance of the British note has improperly identified the United Nations with the policy of Great Britain on Jewish immigration as arbitrarily determined by Great Britain alone.
9. It is clear that the Secretary-General is not bound to accept Great Britain's unilateral interpretation of the Resolution of the Assembly. Nor is there anything in the so-called peace Resolution which empowers the Secretary-General to take any action in the implementation of that Resolution or to ask an accounting from member states as to their compliance with the request of the British Government. In doing so it is submitted that he has gone outside and beyond the scope of his functions.
10. It is with deep regret that we find ourselves constrained to protest the action of the Secretary-General. The Jewish Agency for Palestine, as the body officially recognized both under the League of Nations Mandate and by the General Assembly of the United Nations as representing Jewish interests in regard to Palestine, accordingly requests the Secretary-General to circulate these observations to the member nations of the United Nations.
11. Insofar as the action of the Secretary-General introduces new and prejudicial factors into the situation at a time when the Special Committee of the United Nations has begun its inquiry, the Jewish Agency for Palestine is transmitting a copy of this note to the Chairman of the Special Committee for the information of the members of the Committee and for such action as they may deem advisable.

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371 / 61903



1947

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E 7858

7 AUG 1

Registry  
Number

FROM

No.

Dated

Received  
in Registry

E 7858/1585/77

The Treasury  
Solicitor

Aug 27.

Indult Warfield - Case of 'Habeas Corpus'

have petitioners of application by P.  
and R. Brown for writ of habeas  
corpus on behalf of two aboard  
transport at Port du Bourc.

Last Paper

7839

References

(Print)

(How disposed of)

(Minutes.)

The Notice of Motion in this paper was served on the Treasury Solicitor, who received it on behalf of the Secretary of State for Foreign Affairs and the Secretary of State for the Colonies, on the 25th August. On the 26th August, it was discussed at a meeting attended by representatives of the Treasury Solicitor, the Legal Advisers of the Foreign Office and Colonial Office, the Middle Eastern Department of the Colonial Office and Eastern Department of the Foreign Office. It was decided to apply for an adjournment of the hearing until Friday 29th August, to give us time to prepare our case and to secure the services of the Solicitor General, who is returning from Scotland to take charge of the case. The applicants' solicitors have agreed to this postponement. It would not be possible to secure a longer delay, since the ships carrying the President Warfield's passengers to Germany are expected to reach their destination on the 2nd September.

2. Although the Notice of Motion is on behalf of 6 named persons only, the decision of the Court will provide a precedent for all on board. It is, therefore of great importance that this case should be decided in our favour.

3. In defending this action, it is necessary to prepare an affidavit setting out the facts of the case together with our submission that the passengers on board these three ships are not in fact being held in restraint, illegally confined, or unlawfully detained. The Legal Advisers, referred to above, are unanimously of the opinion that it would be preferable for this affidavit to be sworn by the Secretary of State for Foreign Affairs. Since Mr. Crech-Jones is now in the West Indies, it would otherwise have to be sworn by Mr. Ivor Thomas. The Legal Advisers consider that this would be sufficient, but that an affidavit sworn by Mr. Bevin, a Senior Minister, with a greater first hand knowledge of the case, would carry more weight. I understand that when, during the war, "habeas corpus" actions were brought against the Home Secretary in respect of persons detained under Defence Regulations

(Action  
completed)

9/23/48

(Index)

9/23/48

Next Paper

E 8091

18 B./

32538

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Reference:-  
FO

371 / 61903

4. I have discussed this point with Mr. Henniker-Major, who is reluctant to disturb the Secretary of State on his holiday, unless this is considered essential. It is important that a decision on this point should be taken as early as possible, since Mr. Ivor Thomas is also on holiday at present. In either case, the affidavit would have to be taken down to the Minister concerned on Thursday afternoon, sworn, and brought back to London in time for the opening of the Court on Friday morning. The affidavit itself is now being drafted by the Legal Advisers in consultation with Counsel and will be submitted to the Solicitor General for final approval on Thursday morning.

*Cable*  
27th August, 1947.  
(J. E. CABLE)

Fr P. P. Jensen	Telegraphic Agency n° 100	28/8
—	Admity tel	271815 27/8
—	F. O. Gibraltar	280001 28/8
—	—	280911 28/8
—	Admity tel	281448 28/8
—	Gibraltar	282032 28/8

The above minute was overtaken by the march of events. Mr. Pratt, for the Jewish Agency, asked that a civil servant should be available for cross-examination, if required. It was accordingly decided that the affidavit should be sworn jointly by Mr. Gavan and by Mr. Trafford Smith (C.O.). The application was for Habeas corpus was refused, though the Treasury Solicitor tells me that the Jewish Agency are considering an appeal. I have asked the Treasury Solicitor to supply us with a copy of the judgement, the affidavit and

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1	2	3	4	5	6						
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Reference:- FO 371 / 61903											



NOTHING TO BE WRITTEN IN THIS MARGIN.

Minutes.

64

and a transcript of any  
material portions of the pleadings.

Mr. Vallat  
clerk.  
4/9

*[Signature]*  
(T.E. CABLE)  
1/9

Now please see E 8195

*[Signature]*  
5/9

In P.P. Admty tel 201437 30/8  
- 60-tel C.E. NORE. (Restricted) 8/9

*[Signature]*  
22/9

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Reference:-

**FO**

371 / 61903

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

E 7858

I N T H E M A T T E R OF AN APPLICATION BY SEFTON  
WILFRID DAVID ROWSON FOR A WRIT OF HABEAS CORPUS AD  
SUBJICIENDUM ON BEHALF OF

Stp. £2

SABENE GREENBERG  
RENA HARTMANN  
HELENA KASNER  
CHAIM BERBER  
DAVID ENGEL and  
FRANK HERMANN

detained upon the British Steamships "Empire Rival",  
"Ocean Vigour" and "Runnymede Park".

TAKE NOTICE that pursuant to the leave of the Honourable Mr.  
Justice Jenkins given on the 23rd day of August 1947, the King's  
Bench Division of the High Court of Justice will be moved on the  
27th day of August 1947 at 10.30 o'clock in the forenoon, or so  
soon thereafter as Counsel can be heard on behalf of

SABENE GREENBERG  
RENA HARTMANN  
HELENA KASNER  
CHAIM BERBER  
DAVID ENGEL and  
FRANK HERMANN

at present detained upon the British Steamships "Empire Rival",  
"Ocean Vigour" and "Runnymede Park" for an Order that a Writ of  
Habeas Corpus should issue directed to His Majesty's Principal  
Secretary of State for Foreign Affairs and to His Majesty's  
Principal Secretary of State for the Colonies, to have the bodies  
of

SABENE GREENBERG  
RENA HARTMANN  
HELENA KASNER  
CHAIM BERBER  
DAVID ENGEL and  
FRANK HERMANN

aforesaid, before the said Court at the Royal Courts of Justice,  
London, immediately after the receipt of such Writ to undergo and  
receive all and singular such matters and things as the Court  
shall then and there consider of concerning them in their behalf  
upon the grounds set forth in the Affidavit of SEFTON WILFRID  
DAVID ROWSON and the Exhibits therein referred to used on the  
application for leave to issue this notice of motion. copies of  
which said affidavit and exhibits are served herewith And that  
the costs of and occasioned by this motion be the Applicants,  
the said Sefton Wilfrid David Rowson to be taxed and paid by the  
said respondents to the said applicant.

AND TAKE NOTICE that upon the hearing of the said Motion  
the said Sefton Wilfrid David Rowson will use the affidavit of  
himself and the Exhibits therein referred to.

DATED the 25th day of August 1947.

HERBERT OPPENHEIMER, NATHAN & VANDYK  
20 Copthall Avenue,  
London Wall, E.C. 2.  
Solicitors for the Applicant.

TO His Majesty's Principal Secretary of State  
for Foreign Affairs  
AND TO His Majesty's Principal Secretary of  
State for the Colonies.

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Reference:-

FO

371 / 61903

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IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

**BEFORE THE VACATION JUDGE**

IN THE MATTER OF AN APPLICATION  
BY SEFTON WILFRID DAVID ROWSON  
FOR A WRIT OF HABEAS CORPUS AD  
SUBJICIENDUM ON BEHALF OF

SABENE GREENBERG  
RENA HARTMANN  
HELENA KASNER  
CHAIM BERBER  
DAVID ENGEL and  
FRANK HERMANN

## NOTICE OF MOTION

TREASURY SOLICITOR  
Storey's Gate,  
St. James's Park,  
London S.W.1.

[illegible]

1-7818/1585/21  
 28/8/1947.

DECISION ON HABEAS CORPUS WRIT FOR "EXODUS" REFUGEES EXPECTED ON FRIDAY: MR. DEVIN TO FILE AFFIDAVIT.

London, Aug. 27th. (Jewish Telegraphic Agency).

At the hearing on the application for a writ of habeas corpus on behalf of six refugees on the three deportation ships now on their way to Hamburg, at the High Court here to-day, it was agreed that the case should be adjourned until Friday when a decision is expected to be reached.

The adjournment was requested by Mr. John Foster, Counsel for the Treasury, who said that 48 hours were required to have an affidavit sworn in by Mr. Devin, to whom the writ is to be directed, as well as that of a permanent civil servant, and to enable the Solicitor-General, who is now on his way home, to advise the Government. Mr. Foster said that he had agreed that a draft of the two affidavits should be handed to-morrow to Mr. D. N. Pritt, K.C., who is appearing for the applicants.

Mr. Justice Jenkins, who was hearing the case, granted a request by Mr. Pritt to be allowed to contact his clients aboard the ships by radio and inform them of the proceedings taken.

Mr. Foster did not oppose this action but hoped that "nothing" will be mentioned in the messages to inflame the political situation.

(Mr. Max Seligman, the Palestine lawyer, stated in New York yesterday that a writ of habeas corpus should have been served on the First Lord of the Admiralty, challenging the British Navy's right to transport the "Exodus" refugees from French territorial waters.)

JEWISH ORGANISATIONS IN SWEDEN APPEAL FOR "EXODUS" REFUGEES.

Stockholm, Aug. 27th. (Jewish Telegraphic Agency).

Eight Swedish Jewish organisations, including the Swedish Section of the World Jewish Congress, the Scandinavian Jewish Youth Association, the Jewish Student Club, the Association of Polish Jews in Sweden, the Association of Rumanian Jews in Sweden, Hechalutz, Ezechad, and the League for Labour Palestine, have sent messages to the Swedish Government and Judge Emil Sandstrom, Chairman of the United Nations Special Committee on Palestine, asking them to intervene with the British Government on behalf of the "Exodus" refugees and help obtain their entry to Palestine. Copies of the messages were sent to the British Minister in Stockholm.

"We express our indignation and deep sorrow at the decision of the British Government to send the Jewish refugees from the s.s. 'Exodus' to Germany, the land which is imbued with Jewish blood," the message reads. "We demand that these Jews be allowed to enter Palestine. We appeal to the Chairman of the Palestine Committee at Geneva to intervene so that permission may be granted to these Jews to enter Palestine. We appeal to the Palestine Committee and the whole civilised world to find a just solution for the problem of Palestine so as to give the possibility of unlimited immigration into Palestine for all the Jews who wish to settle there, and especially for the homeless Jews in the camps."

HASHOMER HATZAIR WILL MAN HAGANAH SHIPS.

Liberty, New York, Aug. 27th. (Jewish Telegraphic Agency).

The three-day meeting of the National Council of Hashomer Hatzair opened here yesterday with the participation of over three hundred delegates. The National Secretary, Mr. Meir Jaffe, told the conference that Hashomer Hatzair members in the United States will continue to supply crews for Haganah ships. The organisation will also prepare American youths for immigration into Palestine.

(NOT FOR PUBLICATION UNLESS BY PREVIOUS ARRANGEMENT)

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**FO**  
 371 / 61903

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20/8/1947.

AGUDIST LEADER CALLS FOR ABROGATION OF WHITE PAPER AND FREE  
IMMIGRATION INTO PALESTINE IN BROADCAST OVER CZECHOSLOVAK RADIO.

Prague, Aug.27th. (Jewish Telegraphic Agency).

Following the closure of the Agudist world conference in Marianske Lazne, Mr.H.A.Goodman, Chairman of the Agudist Executive in London, in a broadcast in the Home and Foreign Services of the Czechoslovak radio last night, made a strong appeal for the abrogation of the White Paper and the opening of the gates of Palestine for the return of the remnants of Israel.

"Two years after liberation, peace has not yet come to the world and Israel, the most afflicted people, still suffers," Mr.Goodman said.

Referring to the forthcoming session of the United Nations General Assembly, Mr.Goodman declared that they hoped for such proposals being brought before the Assembly as would again restore peace to the land of Israel. "Many of us feel that the association of England with Palestine, an association which for many years was a happy one, should in some measure be maintained," he said. "We feel also that there should be established in Palestine some form of regime which would, above all, enable the earliest migration to that country of the remnants of Israel. There can be no return to the lands which have become the graveyards of once great Jewish communities.

"We ask for the abrogation of the White Paper for Palestine," Mr.Goodman went on, "we consider it to be both illegal and unjust. Nothing must close the doors of the Land of Israel to its returning children for whom there is no other haven of rest."

Paying tribute to Czechoslovakia for the friendship it has extended to the Jewish people, Mr.Goodman said that Thomas Masaryk and Eduard Benes had dreamt of the liberation and the restoration of their land. They had seen the realisation of their dream. The Jewish people, he declared, also dream and hope to achieve the restoration of their Homeland.

Prior to his return to London, Mr.Goodman was received by the Czechoslovak Minister for Foreign Affairs, M.Jan Masaryk, to whom he reported on the work of the conference and matters affecting Central European Jewry.

FIRST CONCESSION TO "EXODUS" REFUGEES: EXPECTANT MOTHERS MAY  
DISEMBARK IN GIBRALTAR AND LATER PROCEED TO PALESTINE.

London, Aug.27th. (Jewish Telegraphic Agency).

Mr.H.A.Goodman, who submitted to the Colonial Office this afternoon the unanimous protest of the Agudist World Conference against the decision to send the "Exodus" refugees to Germany, was told that women in an advance stage of pregnancy would be allowed to disembark with their children in Gibraltar. If they avail themselves of this offer, they will be eligible for immigration into Palestine later.

THREE REVISIONIST DETAINEES RELEASED.

Jerusalem, Aug.27th. (Jewish Telegraphic Agency).

Three Revisionist leaders detained during the recent round ups were released from Latrun last night. They are Mr.Shalom Halevi, Town Clerk of Ramat Gan, Mr.Abraham Cahane, Chairman of the Tel Aviv Importers Association, and Mr.Raphael Rosoff.

Hamid Zawatta, notorious Arab gang leader during the 1936 disturbances, was released from Acre prison yesterday. On arrival at his home town, Nablus, he was met by a delegation of the Palestine Arab Higher Executive.

Members of the Arab boycott movement yesterday blew up a clothing store belonging to an Arab in Jerusalem. The owner of the shop had allegedly traded with Jews. A similar incident occurred here earlier in the week.

1	2	3	4	5	6
1	2	3	4	5	6

Reference:-

**FO**

371 / 61903

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## INDEXED

Date: 27.8.47

P/L

FROM: Admiralty

IMMEDIATE

Messrs. Oppenheimer, Nathan and Vandyck, solicitors of London, instructed by the Jewish Agency, have commenced Habeas Corpus proceedings in the British High Court on behalf of six persons alleged to be on board either EMPIRE RIVAL, OCEAN VIGOUR or RUNNYMEDE PAKE. It has been agreed on behalf of the Foreign Office that facilities should be given to these solicitors to communicate with these six persons. The solicitors have accordingly asked that the message in paragraph 2 of this signal should be sent to them. This message should be transmitted to each of the three ships and should then be broadcast by loud-speaker first in English and then in Yiddish. The translation into Yiddish should preferably be made by one of the Jews on board. If the six persons, or any of them, come forward in response to the message their answer to the question specifically asked should be taken down in writing and signed by them, and should then be signalled to Admiralty for transmission to the solicitors. This action should be taken urgently, and your reply should reach London by 1800, 28th August.

2. To: Sabene Greenberg  
Rena Hartmann  
Helena Kasner  
Chaim Berber  
David Engel  
and  
Frank Hermann

on the British Steamships EMPIRE RIVAL, OCEAN VIGOUR and RUNNYMEDE PARK.

"The undersigned solicitors were instructed by the Acting Political Secretary of the Jewish Agency for Palestine in London to apply for a Writ of Habeas Corpus on your behalf. We briefed Mr. D.M. Pritt, K.C., M.P., and Mr. S.N. Bernstein who appeared

before.....

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**FO**  
 371 / 61903



RECEIVED IN C B
29 AUG 1947
SENT TO DEPT.

-2-

before Mr. Justice Jenkins on Saturday 23rd August who gave leave to start proceedings. This morning 27th August case was opened in court and on request Counsel for Government the hearing was adjourned until Friday 29th August to enable presentation sworn affidavit from Foreign Office. We were given permission by court communicate with you. Please cable immediately to "Client London" confirming receipt this message and your confirmation of steps taken.

Herbert Oppenheimer Nathan and Vandyck."

271815A

for Head of M Branch (Ext.808)

1st Lord.  
1st S.L. (3)  
V.C.N.S.  
Secretary  
U.S.C.  
D.W.I. (4)  
D. of P. (P)  
D. of P. (C) (2)  
M. (S)  
F.C. (J.E. Cable Eastern Dept.) (12)  
D.C.  
R.C.

mic.

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371 / 61903					

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# MESSAGE.

71  
IN

INDEXED

30 AUG 1947

UNCLASSIFIED

280001 August

Date 28.8.47

From F O Gibraltar

Rec'd. 0125

E/L

Addressed Admiralty  
info C in C Med. Cmdr.(D) Plymouth in BURGHEAD BAY

IMMEDIATE.

A.M. 271815/ complied with statements follow.

280001

/ Habeas Corpus proceedings in the  
British High Court on behalf of six  
persons alleged to be on board either  
EMPIRE RIVAL OCEAN VIGOUR or  
RUNNYMEDE PARK.

Advance copy sent D.C.,R.C.

1st Lord  
1st S L (3)  
V C N S  
Secretary  
U S S  
D N I (5)  
D C (2)  
D of P (2)  
D of P (Q) (2)  
M (8)

JVK  
47

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Reference:-

**FO**

371 / 61903

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# MESSAGE.

IN

30 AUG 1947

INDEXED

UNCLASSIFIED

280911A/August

From: F.O.Gibraltar

Date: 28/8/47

Recd: 0959

P/L

Addressee: Admiralty

Info: C.in C. Med., Comd.(D) Plymouth in BURGHEAD BAY

IMMEDIATE

Reference my 280001A. Add para.two.

Reference the cable which I have had read to me,  
I approve of the action being taken on my behalf by the  
Solicitors instructed by the Political Secretary of the  
Jewish Agency in London. (Signed) Frank Hermann.

H.T. EMPIRE RIVAL  
27th August, 1947.

Reference the cable which I have had read to me,  
I approve of the action being taken on my behalf by the  
Solicitors instructed by the Political Secretary of the  
Jewish Agency in London. (Signed) Chaim Berber.

H.T. EMPIRE RIVAL  
27th August, 1947.

Reference the cable which I have had read to me,  
I approve of the action being taken on my behalf by the  
Solicitors instructed by the Political Secretary of the  
Jewish Agency in London. (Signed) Kasner Herminer.

H.T. EMPIRE RIVAL  
27th August, 1947.

Reference the cable which I have had read to me,  
I approve of the action being taken on my behalf by the  
Solicitors instructed by the Political Secretary of the  
Jewish Agency in London. (Signed) Sabina Greeberg.

H.T. EMPIRE RIVAL  
27th August, 1947.

280911A

1st Lord  
1st S.L.(3)  
V.C.N.S.  
Secretary  
U.S.S.  
D.N.I.(5)  
D.C.(2)  
D.of P.(2)

EC:  
(76)

D.of P.(4)(2)  
M.(8)

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Reference:-

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**RESTRICTED.**

**OUT**

**WARNING.**—This is an unparaphrased version of a secret cypher or confidential code message, and the text must first be paraphrased if it is essential to communicate it to persons outside British or Allied Government Services.

30 AUG 1947

281448A/August

To: Commander (D) Plymouth  
in BURGHEAD BAY  
Info: F.O. Gibraltar

Date: 28.8.47

GENERALEX

From: Admiralty

IMMEDIATE.

A.M. 271815. Following from Colonial Office.  
Government affidavit which is to be sworn today, contain following statement: Begins: Whilst on high seas the passengers have suffered and are suffering no restraint upon their liberty except such as is necessary for the safety of themselves and of the ships. Ends.

2. Request confirmation that this is accurate statement.  
Information required as soon as possible and in any case not later than 0800 Friday.

3. Request brief account security arrangements on board and in particular arrangements for permitting passengers on deck for exercise.

4. Can O.C. Troops confirm that at Port de Boue passengers had opportunity of contact with following:—

- (a) French officials.
- (b) Representatives of Jewish charitable organisations.
- (c) Red Cross officials.
- (d) Journalists.

281448A

D.C.  
Ext. 490.

1st Lord  
1st Sea Lord (3)  
V.C.N.S.  
Secretary  
U.S.S.  
D.N.I. (4)  
D.C. (2)  
N. (20) & for Colonial Office (Mr. Higham)  
Foreign Office (Mr. Cable)  
Treaty Solicitor (Mr. Cains)

D. of P. (2)  
D. of P. (1) (2)  
R.C.

PIB/59

1	2	3	4	5	6
1	2	3	4	5	6

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Reference: **FO**

371 / 61903



74  
**RESTRICTED.**

INDEXED

**IN**

**WARNING.**—This is an unparaphrased version of a secret cypher or confidential code message, and the text must first be paraphrased if it is essential to communicate it to persons outside British or Allied Government Services.

282032A/August.

From F.O. Gibraltar.

Date: 28.8.47.

Recd: 2245.

GENERAL EX

To: Admiralty.  
Info: Commander (D) Plymouth, in BURGHEAD BAY.

IMMEDIATE

Your 281448. Following from O.C. escort EXODUS 47 begins:

statement in your para.1 confirmed.

para.2. All males with the exception of normal cooking and administrative Jews are confined in cages. Women and children have virtually got the run of the ship at all times. Men are normally escorted from the cages to collect food. Visit hospital and the like. About 6 guards on each ship are armed with firearms the remainder with their natural charm and entrenching tools handles. There is some deck space in each cage for exercise.

para.3. Your para.4 (A) very few French officials were interested but those who were could have visited them.  
(B) All Jewish charitable organisations proved so unreliable that free access had to be banned after first few days.  
(C) They live on board with no restrictions.  
(D) Yes, with lots of them ends.

282032A

1st Lord.  
1st S.L.(3)  
V.C.N.S.  
Secretary  
U.S.S.  
D.N.I.(5)  
D.C.(2)  
M.(20) and for Colonial Office (Mr. Higham)  
Foreign Office (Mr. Cable)  
Treasury Solicitor (Mr. Cains)  
  
D. of P.(2)  
D. of P.(Q)(2)  
R.C.

DR.  
26

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371 / 61903



75

**OUTWARD TELEGRAM**

FROM THE SECRETARY OF STATE FOR THE COLONIES

76021/64/47

En Clair

TO PALESTINE (Gen. Sir A. Cunningham)

Sent 26th August, 1947. 15.15 hrs.

MOST IMMEDIATE

No. 1944

PRESIDENT WARFIELD immigrants.

Jewish Agency in London have applied for writ of habeas corpus on behalf of six named illegal immigrants and of all other persons on board British transports. Application is to be heard tomorrow August 27th.

Please telegraph most immediate text and date of deportation and any other orders made in respect of these persons.

Jewish Agency's affidavit states reports published in Palestine press and leaflets distributed among illegal immigrants by British military authorities stating that illegal immigrants were going to be transported to Cyprus. Grateful for report and text of any statement issued.

Copies sent to:-

Foreign Office	-	Mr. Cable.
" "	-	Mr. Vallat.
Treasury Solicitor's Office	-	Mr. Gains.

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4
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Reference:-

FO

371 / 61903



INWARD TELEGRAM

# En Clair

FROM PALESTINE (Gen. Sir A. Cunningham)

TO S. OF S., COLONIES.

D. 26th August, 1947.

R. 26th " " 21.50 hrs.

MOST IMMEDIATE

No. 1629

Your telegram No. 1944.

PRESIDENT WARFIELD.

Following is text of deportation order made by me on 18th July (repeat 18th July) 1947, in respect of illegal immigrants on PRESIDENT WARFIELD. Begins.

The Defence (Emergency) Regulations, 1945.  
Deportation Order. (Under Regulation 112). Whereas I am of  
the opinion that it is expedient for securing the maintenance  
of public order to make an order under Part X of the Defence  
(Emergency) Regulations, 1945, as from time to time amended,  
in respect of each and every one of the persons who entered  
Palestine on board a ship which arrived off Haifa in company  
with certain ships of the Royal Navy on 18th July, 1947, and  
is believed to be known as (PRESIDENT WARFIELD).

Now, therefore, in exercise of the powers conferred upon me by Regulation 112 of the Defence (Emergency) Regulations, 1945, as from time to time amended and of all other powers enabling me in that behalf, I, General Sir Alan Gordon Cunningham, K.C.B., D.S.O., M.C., High Commissioner for Palestine, hereby order the deportation of each and every one of the persons who entered Palestine on board a ship which arrived off Haifa in company with certain ships of the Royal Navy on 18th July, 1947, and is believed to be known as PRESIDENT WARFIELD.

And I do further order that, whilst awaiting deportation and whilst being deported, the said persons shall be kept in the custody of the General Officer Commanding, British Troops in Palestine and Trans-Jordan, the Commodore Palestine and the Inspector General of Police or any of the said officers and persons acting by the authority of any of the said officers dated the 18th July, 1947, (signed)  
A.G. Cunningham, High Commissioner. Ends.

Regarding leaflet distributed by Military - see my immediate telegram No. 1628.

Copies sent to:-

Foreign Office	-	Mr. Cable.
"	-	Mr. Vallat
Treasury Solicitor's Office	-	Mr. Gaine.

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371 / 61903

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OUT

WARNING.—This is an unparaphrased version of a secret cypher or confidential code message, and the text must first be paraphrased if it is essential to communicate it to persons outside British or Allied Government Services.

281448A/August INDEXED

To: Commander (D) Plymouth  
in BURGHEAD BAY  
Info: F.O. Gibraltar

Date: 28.8.47

-----  
GENERALEX  
-----

From: Admiralty

IMMEDIATE.

A.M. 271815. Following from Colonial Office.  
Government affidavit which is to be sworn today, contain following statement: Begins: Whilst on high seas the passengers have suffered and are suffering no restraint upon their liberty except such as is necessary for the safety of themselves and of the ships. Ends.

2. Request confirmation that this is accurate statement.  
Information required as soon as possible and in any case not later than 0800 Friday.

3. Request brief account security arrangements on board and in particular arrangements for permitting passengers on deck for exercise.

4. Can O.C. Troops confirm that at Port de Boue passengers had opportunity of contact with following:-

- (a) French officials.
- (b) Representatives of Jewish charitable organisations.
- (c) Red Cross officials.
- (d) Journalists.

281448A

D.C.  
Ext. 490.

1st Lord  
1st Sea Lord (3)  
V.C.N.S.  
Secretary  
U.S.S.  
D.N.I. (4)  
D.C. (2)  
H. (20) & for Colonial Office (Mr. Higham)  
Foreign Office (Mr. Cable)  
Treasury Solicitor (Mr. Cains)

D. of P. (2)  
D. of P. (9) (2)  
R.C.

PMB/59

1	2	3	4	5	6
1	2	3	4	5	6

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Reference:-

FO

371 / 61903



IN

INDEXED

SEP-1947

From F.O. Gibraltar.

date: 28.8.47.

Recd: 2245.

## GENERAL EX

To: Admiralty.  
Info: Commander (D) Plymouth, in BURGHEAD BAY.

IMMEDIATE

your 281448. Following from O.C. escort EXODUS 47 begins:

statement in your para.1 confirmed.

para.2. All males with the exception of normal cooking and administrative Jews are confined in cages. Women and children have virtually got the run of the ship at all times. Men are normally escorted from the cages to collect food. Visit hospital and the like. About 6 guards on each ship are armed with firearms the remainder with their natural charm and entrenching tools handles. There is some deck space in each cage for exercise.

para.3. your para.4 (A) very few french officials were interested but those who were could have visited them. (B) All Jewish charitable organisations proved so unreliable that free access had to be banned after first few days.

(C) They live on board with no restrictions.  
(D) yes, with lots of them ends.

282032A

1st Lord.  
1st S.L.(3)  
V.C.N.S.  
Secretary  
U.S.S.  
D.N.I.(5)  
D.C.(2)  
M.(20) and for colonial office (Mr. Higham)  
Foreign Office (Mr. Cable)  
Treasury Solicitor (Mr. Gains)

D. of P. (2)  
D. of P. (2) (2)  
R.C.

DR.  
26.

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**reference:**



371 / 61903

# OUT

3034374/August 6

Date: 30.8.70

P/L

Following is further message from solicitors for addressees of  
which contained in A.M. 271815:-

[illegible]

I beg to inform you that the application for a writ of Habeas Corpus in English Courts was unsuccessful. Further legal action is being considered between Jewish Agency for Palestine and ourselves. We will write again.

ENDS.

3014374

for Hd. of M. Br.  
(Ext. 808)

1st Lord.  
1st S.L.(3)  
V.C.H.S.  
Secretary  
U.S.S.  
D.N.I.(4)  
D. of P.(2)  
D. of P.(Q)(2)  
M.(6) and for (F.O. (J.E. Cable, Eastern Dept.)  
D.C.(2)  
R.C.

DIR.  
40

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 Reference:-  
**FO**  
 371 / 61903



## 50

75156/64/47

78-8, 1581-2)

INDEX

TO COMMANDER (D) THE 100TH

Sent 3rd September, 1947. 21.15 hrs (on  
Admiralty for onward transmission)

Restricted.

Please pass following from Colonial Office to G.M. Troops on board transports carrying illegal immigrants. Begins.

Grateful if you could convey to six persons concerned in recent Habash Campus case following message from their legal representatives.

2. 199138.

After taking best legal advice and after consulting Jewish Agency it has been decided not to proceed with Rubens Corzine upon present evidence. Have sent a representative to interview you and others for the purpose of obtaining further instructions. End.

3. Do your own information representative  
warrantee has gone to Paris and will return to  
Hawbury. End.

Copy sent to:-

100-3140 098170

[illegible]

1 2 3 4 5 6

1 2

Reference:-

**FO**

371 / 61903



1947.

E

E 8091

PALESTINE

3 SEP

Registry  
Number

FROM

No.

Dated

Received  
in Registry

E8091/1585/31

The Treasury  
Solicitor

Sept. 3.

Unit of Habeas Corpus.

W.S.

Gives text of Affidavit made by  
in Gannan and Mr Troppert Smith.  
re unit of Habeas Corpus by A.W.  
D. Houston.

Last Paper.

785-8

(Minutes.)

Now see E8195

3/4

References.

(Print.)

(How disposed of.)

(Action  
completed.)

R 4/9.

(Ind.)

10/9/48

Next Paper.

8195

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Reference:-

FO

371 / 61903



IN THE HIGH COURT OF JUSTICE  
KING'S BENCH DIVISION

E 8091

IN THE MATTER OF AN APPLICATION BY SEFTON  
WILFRID DAVID ROWSON FOR A WRIT OF HABEAS CORPUS AD  
SUBJICIENDUM ON BEHALF OF

SABINE GREENBERG  
RENA HARTMANN  
HELENA KASNER  
CHAIM BERGER  
DAVID EGGEL and  
FRANK HERMANN

and of all other men women and children presently  
upon the British steamships "Empire Rival", "Ocean  
Vigour" and "Munnymede Park".

We, ISHAH PETER CHADAK, a First Secretary in the Foreign  
Office and Acting Head of the Eastern Department of the Foreign  
Office, and MARFORD SMITH, an Assistant Secretary in the Colonial  
Office in charge of the Middle East Department, make oath and say  
as follows :-

1. We have read copies of the Notice of Motion in this matter  
and of the Affidavit of Sefton Wilfrid David Rowson sworn herein  
on the 22nd day of August 1947 and the Exhibits referred to  
therein. We have been authorised to make this Affidavit by the  
respondents named in the said Notice of Motion. We are able to  
depone to the facts set forth in the Affidavit of our own knowledge.
2. With regard to paragraphs 3 and 4 of Rowson's said Affidavit  
it is the fact that on or about the 18th day of July 1947 some  
four thousand five hundred persons arrived in the territorial  
waters of Palestine on board the S.S. "President Warrie" a  
vessel registered under the Honduras flag, having embarked at  
Cote in the South of France. The names of the said persons are  
not known to His Majesty's Government and it is therefore not  
possible for us to say whether the six persons named in the said  
Notice of Motion were or were not passengers on the said ship.  
The passengers on the said ship were attempting to enter Palestine  
contrary to the provisions of the Palestine Immigration Ordinance

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FO

371 / 61903



1941. Acting under powers conferred by the Palestine Defence (Emergency) Regulations, 1945, the High Commissioner for Palestine then made a Deportation Order in respect of all of the said passengers except about sixty of them who remained in Palestine in the circumstances mentioned in paragraph 4 of the said Rowson's Affidavit. A copy of the said Deportation Order is now produced and shown to us and marked "I.P.G. and I.S."

3. The said passengers were removed from the "President Warfield" into the three ships mentioned in paragraph 4 of the said Rowson's Affidavit by the Palestine military authorities acting in pursuance of the said Deportation Order. These three ships are British ships of the Merchant Navy owned by His Majesty's Minister of Transport

E  
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4. By arrangement with the French Government the said persons were taken on the said ships back to France. On arrival of the said ships at Port de Bouc, a port on the south coast of France, the French Government expressed their willingness to accept the said persons and offered them hospitality and freedom. This was made known to all the said persons on board by an official representative of the French Government. The said ships remained off Port de Bouc from the 29th day of July to the 22nd day of August 1947. Throughout this period the said persons were free to leave the ships and every facility was provided for this purpose. The Jewish Agency was invited to send representatives on board the ships with a view to persuading the said persons that they should go ashore, but the Jewish Agency refused to do so. In spite of the offer of the French Government and of an official British announcement that in no circumstances would any of the said persons be taken to Cyprus or Palestine only about one hundred and thirty of the passengers disembarked at Port de Bouc.

5. On the 21st day of August 1947 the persons remaining on

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Reference: FO 371 / 61903

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board were told by the British authorities present at Port de Bouc that unless they began to disembark before 4 p.m. B.S.T. on the following day, the 22nd day of August, the ships would sail for the British Zone of Germany. On the 22nd day of August the three ships with the said persons on board left Port de Bouc and sailed via Gibraltar for the Port of Hamburg where it is expected they will arrive early in September.

6. Whilst on the high seas the said persons have suffered and are suffering no restraint upon their liberty except such as is necessary for the safety of themselves and of the said ships.

7. The said persons are Jewish displaced persons from various parts of the Continent of Europe and North Africa. They are persons who intended to enter Palestine illegally and have been deported from Palestine under the powers conferred by the Law of that Country. It is submitted that in the light of the facts set out above the said persons on board the said ships are not held in restraint nor are they illegally confined or unlawfully detained.

SWORN by the said *Isaac Pinner*  
*SAHAR and THOROLD SMITH*  
 at the *Foreign Office* *Drawing Street*  
 in the County of *London*  
 this *22* day of August, 1947

*J. P. Ganan.*  
*Isaac Pinner*

before me,  
*Signed G. Bennett Seager*  
 A Commissioner for Oaths.

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Reference: -

FO

371 / 61903

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85

IN THE HIGH COURT OF JUSTICE  
KING'S BENCH DIVISION

IN RE BASSEL GREENBERG AND  
OTHERS

Copy

JOINT AFFIDAVIT

- of -

ISRAEL PETER GARMAN and THORFORD  
SMITH

THE TREASURY SOLICITOR.

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Reference:-

**FO**

371 / 61903



56

"I.P.G. and T.S."

THIS is the Exhibit marked "I.P.G. and T.S." referred to in the joint Affidavit of Isham Peter Garran and Trafford Smith sworn before me this 28 day of August, 1947.

Signed *W. Bennett Seeger*  
A Commissioner for Oaths.

THE DEFENCE (EMERGENCY) REGULATIONS, 1945,  
DEPORTATION ORDER. (UNDER REGULATION 112).

W H S R E A S I am of the opinion that it is expedient for securing the maintenance of public order to make an order under Part X of the Defence (Emergency) Regulations 1945, as from time to time amended, in respect of each and every one of the persons who entered Palestine on board a ship which arrived off Haifa in company with certain ships of the Royal Navy on the 18th July, 1947, and is believed to be known as PRESIDENT WARFIELD

N O W, therefore, in exercise of the powers conferred upon me by Regulation 112 of the Defence (Emergency) Regulations, 1945, as from time to time amended and of all other powers enabling me in that behalf, I, General Sir Alan Gordon Cunningham, K.C.B., D.S.O., M.C., High Commissioner for Palestine, hereby order the deportation of each and every one of the persons who entered Palestine on board a ship which arrived off Haifa in company with certain ships of the Royal Navy on 18th July 1947 and is believed to be known as PRESIDENT WARFIELD.

AND I do further order that, whilst awaiting deportation and whilst being deported, the said persons shall be kept in the custody of the General Officer Commanding, British Troops in Palestine and Trans-Jordan, and the Commodore Palestine and the Inspector General of Police or any of the said officers and persons acting by the authority of any of the said officers.

DATED the 18th July, 1947.

(Signed) A.J. CUNNINGHAM  
High Commissioner.

1	2	3	4	5	6
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Reference:-  
**FO**  
371 / 61903

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E 8195

**1947**

PALESTINE

**Registry  
Number**

**FROM**

*No.*

***Dated***

*Received  
in Registry*

unit of No. 1000 papers.

Emerson transcript of Judgement of  
4th Justice Jenkins etc in case  
of Habeas Corpus writ by  
Greenberg and others.

## Last Paper

(Minutes.)

8091

## References

XF1/650

9. P.P. Antony J. Naker B.O. to The Times  
50/8.

Please see E 7858 for notice of motion  
and applicants affidavit and E 3091  
for our affidavit.

(How disposed of)

apt. L. J. Brass

from N. Vallat  
Sept 78

Mr. Vallant

New York Sept 18 1895

Mr. Farnett TERN-11/99

Mr. Evans <sup>Wife</sup> 11/9.  
Miss Gatteridge 11/9

The interesting part  
of the judgment  
from the legal  
point of view begins  
at page 4.

*W. Wallat*  
10/9

I think that a copy of the transcript should be sent to the Home Office who are worried about their power to put deputation on ships bound for particular

**88538**

(Action completed)

(Index)

GC/23/9

## Next Paper

68577

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371 / 61903




199

Mr. Vallat first

(J. E. CABLE)  
16/4

Seni ~~17/9~~

G. P. Treasury Solicitor T & M 1/42042/DB 11/10.  
 made & filed 

17/11

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 371 / 61903

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**371 / 61903**

1	2	3	4	5	6

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90  
Royal Courts of Justice,  
Friday, 29th August, 1947.

In the High Court of Justice,  
King's Bench Division.

THE KING

-v-

H.M. SECRETARY OF STATE FOR FOREIGN AFFAIRS AND H.M. SECRETARY  
OF STATE FOR THE COLONIES.

-----  
Ex parte GREENBERG and others.  
-----

Extract from Proceedings  
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The Treasury Solicitor,  
Storey's Gate,  
St. James's Park,  
S.W.1.

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FO

371 / 61903



91  
Royal Courts of Justice,  
Friday, 29th August, 1947.

In the High Court of Justice,  
King's Bench Division.

Before:  
Mr. Justice Jenkins  
(Sitting as Vacation Judge)

THE KING

-v-

H.M. SECRETARY OF STATE FOR FOREIGN AFFAIRS and H.M. SECRETARY  
OF STATE FOR THE COLONIES.

Ex parte GREENBERG and others.

(Transcript of the Shorthand Notes of Walsh & Sons, 4, New Court,  
Lincoln's Inn, W.C.2. Telephone:- HOLborn 4020.)

Mr. D.N. PRITT, K.C., M.P., and Mr. S.N. BERNSTEIN (instructed by  
Messrs. Oppenheimer, Nathan & Vandyk) appeared on behalf of the  
Applicants.

THE SOLICITOR-GENERAL (Sir Frank Soskice, K.C., M.P.) The Hon. H.L.  
PARKER and Mr. JOHN FOSTER (instructed by The Treasury Solicitor)  
appeared on behalf of the Respondents.

EXTRACT FROM ARGUMENTS.

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1	2	3	4	5	6
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**FO**  
371 / 61903

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During the opening of the Motion by Mr. Pritt  
on behalf of the Applicants:-

MR PRITT: My Lord, in the history of this case in particular I do not think that I need go further back than August, 1946. This is still background, although it is coming a little bit into the foreground, and this is on Affidavit, too. By public declarations in August, 1946, either the Palestine Government or His Majesty's Government in Great Britain - I do not think that for this purpose it matters very much - established this system, that when ships carrying immigrants to Palestine arrived in or near Palestine, people who my friend would like to call illegal immigrants and who my clients prefer to describe as immigrants who have not been given certificates permitting them to enter Palestine, were transferred to other ships and taken to Cyprus. I do not think that we need use long words, and for the rest of the time I shall refer to immigrants generally. When ships with immigrants arrived in or near Palestine it was the practice of the British Government or of the Palestine Government to transfer them to other ships and take them to Cyprus. As a matter of fact, as the evidence shows, the ships which normally did the Cyprus run with these immigrants were these three ships in which these people are now to be found.

It is further clear, and it is on the evidence, that when they were taken to Cyprus - to use almost the very language of the leaflets that they were given - they got into the queue to be passed into Palestine as legal immigrants after the passage of a certain amount of time. I expect that even my friend will allow me to be human enough to say that that must have seemed infinitely better to Jews with their tragic experience of life in Europe in the last seven or eight years than anything else, short of Palestine itself.

That was the practice prevailing and declared by His Majesty's Government when this particular group of persons, sailing in a vessel called the "President Warfield" or "The Exodus, 1947," arrived. Having regard to previous declarations one might almost say that it was in accordance with usual practice, because however regrettable or inconvenient it might be, it was a thing that was happening steadily. At any rate, they arrived in Palestine waters or off Palestine waters, according to the Affidavit for the Crown - if any part of the Affidavit is admissible - on the 18th July. According to our Affidavit they arrived shortly before the 18th July. The ship was in some way taken charge of by the British Government under circumstances which somehow led to a substantial number of the people upon it being wounded. I will not say any more than that in case it worries my friend. The only difference of fact here, assuming that the Government has proved any facts at all, is that the Government says that this was done within territorial waters, and we say that it was done without territorial waters. That may prove to be an important difference or it may not. At any rate, it is clear that the ship and the people on board were brought into Palestine territorial waters.

At some stage a Deportation Order en bloc, in the vaguest possible terms, was made by the High Commissioner for Palestine. It was a Deportation Order which was made valid - if Palestine legislation is valid - by very exceptional provisions in the Palestine legislation which practically say that you can do as you like. It was a Deportation Order which, of course, contained no destination. It does not have to do so. It was a Deportation Order not in fact based on the fact that they

1	2	3	4	5	6

Reference: **FO** 371 / 61903

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were illegal immigrants, because amongst the many powers of the High Commissioner is a power to deport from Palestine anybody who is in Palestine. I do not think that that matters, but it is as well to have all one's facts. Incidentally to that, although it does not arise here, there is power in the legislation to exclude from Palestine anybody who is not in Palestine. I think that it is what one of the Respondents in other circumstances would call a Police State. True, the Palestine Government must govern its country as best it can.

At any rate, whilst they were in territorial waters, either because they were brought there or because they had arrived there, Deportation Orders were made and these people were thereupon transhipped to these three boats, which I suggest on the evidence might fairly be called the Cyprus boats.

Here we get a piece of conduct on the part of somebody on behalf of the Government which is very, very regrettable indeed. They were told orally and they were told by leaflet that they were going to Cyprus. They were told in the leaflet that when they got to Cyprus they would take their turn and wait to come into Palestine. I do not want to use any strong language, but if I submitted to your Lordship that they were put on those ships, to which they went voluntarily, by false pretences and in bad faith, I would, I think, be saying what I am absolutely justified in saying. There had been no sort or kind of declaration whatsoever that the practice was going to be changed, and there had been these express statements to these people that they were going to Cyprus.

THE SOLICITOR-GENERAL: My Lord, may I say one thing with regard to that? As I understand it, my friend is now making a charge of bad faith. Without accepting for one moment that there is the slightest foundation whatsoever for any such charge, I have had given to me this morning this Affidavit containing the evidence on which he relies for the assertions that he has just made. I was asked if I objected to the Affidavit being used. I do not object. I have had no opportunity of answering it. I did not object because for the moment it did not seem to me that it affected any issue which your Lordship is trying. If hereafter it becomes apparent in the course of the legal discussion, which I hope at some stage will begin, that this is a material point, I hope that your Lordship will give me an opportunity of answering the Affidavit. For the moment I simply limit myself to saying that I entirely repudiate the suggestion that there was the slightest bad faith. My learned friend has said that he has had 40 years at the Bar, and of course he has the greatest possible experience. I hope that he will be discreet and moderate in his way of presenting what he described as the narrative portion of his case. Possibly a more convenient course would have been to read the actual Affidavits which are before your Lordship, and then to make comments upon them. My friend is giving a history which he says is in the Affidavits, and your Lordship has not yet seen how far that history is supported.

MR JUSTICE JENKINS: Mr. Pritt said that he was going to make a statement about facts which are not in dispute.

THE SOLICITOR-GENERAL: Your Lordship has used the words: "which are not in dispute."

MR JUSTICE JENKINS: That is how I understood it.

THE SOLICITOR-GENERAL: Then perhaps I may make it perfectly clear that I am not by a long shot accepting everything that my learned friend is saying. When it comes to charges of bad

1	2	3	4	5	6

Reference: **FO** 371 / 61903

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A diagram showing a 6x6 grid. The top row contains the numbers 1 through 6 in each cell. Below the grid is a horizontal ruler with tick marks every 1 unit and labels 1 and 2.

Reference:- **FO** 371

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4.



submissions. I have made a submission to the effect that it really is not possible to regard that as anything but a breach of faith, not by the individuals who distributed the leaflets, but by somebody higher up. If my friend does not like that submission, I can well understand it. I do not know why I should be interrupted by a gentleman who has not read the Affidavits and who therefore does not know the facts. We get as far as this, that they were put on board these ships under a Deportation Order. In face of the Palestinian law I think it right formally to admit that assuming the Palestinian law be valid, they were validly made the subject of a Deportation Order and validly put, so far as Palestinian law is concerned, on three ships in the harbour at Haifa, unless - and this is a very important "unless" and that is why I went into these facts - your Lordship comes to the conclusion that they were shanghai-ed, if I may use the phrase, that is to say, if they were put on a ship and told that they were about to sail for Cyprus when in reality the intention always was to take them to France. If your Lordship thinks that that made even the putting of them on board these ships illegal, that is a matter which will have to be considered at some stage. It may not be necessary, because, as your Lordship will see as we go along, the illegality becomes progressively graver and clearer.

(Mr. Pritt then dealt with other points.)

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**FO**  
 371 / 61903



Mr. PRITT: As your Lordship may imagine, when I read that somewhat jejune affidavit filed on behalf of the Respondents, and observed that it contradicted directly no statement in our affidavit and indirectly scarcely any, I had a little doubt as to whether we ought to answer it, but I have in fact sworn an affidavit in answer and it comes from the same Mr. Rowson. He, of course, describes himself in the same way as in his first affidavit.

Then he says: "1. I refer to paragraph 5 of my Affidavit sworn herein on the 22nd day of August 1947, and in particular to the last sentence of the said paragraph." That is with regard to the leaflets being distributed telling them that they were going to Cyprus.

"Since I swore the said Affidavit I have been informed by two persons who were present on certain of the ships mentioned in my former Affidavit at Port de Bouc in France that various of the Jewish displaced persons upon those ships informed them that not only had they received copies of such leaflets but they had also been orally informed that they were being transferred to Cyprus.

"2. There is now produced and shown to me a bundle marked 'S.W.D.R.3' containing so far as the same can be deciphered the German and Yiddish texts of the said leaflet as photographed for the Jewish Press together with translations from both the German and Yiddish texts which my knowledge of German and Yiddish enables me to say are correct translations."

I think that it will probably be sufficient to look at the translation from the German text. It is a printed document, and it says: "We regret that you cannot land in Palestine and that you must go on another boat to Cyprus in order to wait there until your turn arrives to come back here. Take all your luggage with you. Put a label with your name on it. Your luggage will be taken from you and will be looked through by soldiers but you will get it back in Cyprus. You may keep your family photographs . . . money by you. Keep them separate from documents, books and . . . You may . . . camera by . . . but it must be left open . . . films will" etc.

I have seen the photographs and I have read the German text so far as it is legible. I have satisfied myself that the parts which are said to be illegible are illegible. The only other thing that I ought to say is this: whereas the German text makes it plain that they are to wait in Cyprus for their turn to come back to Palestine, and although it is not very good German, the literal translation is: "You must go to Cyprus in order to wait your turn to come back here", it is only fair to say that in the Yiddish text - which I can understand when it is spoken to me but which I cannot read - those important words are omitted and it says: "We regret that you cannot land in Palestine and you will have to go to Cyprus in another ship and wait there", which is not quite the same thing.

I submit that in all the circumstances I should not be justified in not suggesting that these people had really been put on these ships under false pretences, because it is plain that the Government never intended these ships to go to Palestine at all.

Mr. JUSTICE JENKINS: The distribution of a leaflet is one thing and the charge of bad faith is quite another thing.

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FO

371 / 61903



Let us look at the facts of the matter. At one and the same time various servants of one and the same Government, or of two of the same Governments, say to people orally and in writing: "Yes, you are going to Cyprus", they having made up their minds - perhaps by another head, but still it is the same Government and the officials of the same Government - that they will not take these people to Cyprus but they will take them to France. Your Lordship says that it is possible that they conducted the matter with sufficient irregularity for it to have been possible for one set of persons to distribute leaflets in good faith whilst the other set of persons higher up did not know, never found out and never told them the true position. All I can say is that it is possible, but to suggest that with that rather remote possibility it is reckless to make a charge

1	2	3	4	5	6
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Reference:-

**FO**

371 / 61903



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98

Is it not much more likely - if the thing was not deliberately planned in bad faith from the first - that, at any rate, the position was taken up: "If we do not say anything and let the 'drill' go forward, we shall, in the very anxious

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**FO**

371 / 61903



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I must pray in aid that it is an ordinary principle of law, where you have a principal and an agent, that if the agent says something which the principal knows to be false, although the agent believes it to be true, a case of deceit is made out and the principal is liable for what was done by false pretences. If my friend wants to say something to your Lordship now, I have finished what I wished to say with regard to that.

I am told that some pamphlets of this sort were distributed. I would sooner not explain orally now, without having that matter properly put on affidavit sworn to by those persons who were on the spot, precisely how it took place. I firmly repudiate with all the emphasis of which I am capable that there was the slightest bad faith on the part of any single person at all.

Putting the matter quite shortly and reserving the possibility that I have detailed, my instructions are that as a matter of routine - before a final decision could be taken and before any amending orders could be given to various people on the spot - some of these pamphlets were distributed. That is what I am told, and, as I say, it is subject to this, that I would like to have the thing properly verified if your Lordship thinks that it is relevant and if the charge which has been made against the British Government is not withdrawn. I would like to have the position verified by the appropriate evidence on the spot.

A great deal has been said in this case about inadmissible evidence. I have done my level best not to be technical. My learned friend has said that we could have stated the sources of our information in order to make the evidence more admissible than it was. In point of fact if he had taken the trouble to look at the Rules of the Supreme Court - Order 38, Rule 3 - he would have observed that you can state the sources of your information and belief only in interlocutory proceedings.

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371 / 61903



Mr. PRITT: I was under that impression.

THE SOLICITOR-GENERAL: Obviously my learned friend did not look at it.

Mr. PRITT: I have always regarded these as interlocutory proceedings. Otherwise there would have been no proceedings.

THE SOLICITOR-GENERAL: These are not interlocutory proceedings. My learned friend's own evidence, sworn to by Mr. Rowson, is equally inadmissible. I should have thought that before he said what he said with regard to the two witnesses whose evidence I am putting forward he might have taken the trouble to acquaint himself with the contents of the Rules of the Supreme Court which apply to his own evidence and to mine.

I want to say a few words on this charge. If the charge is persisted in I would ask your Lordship to give me the opportunity of having the matter investigated and put on oath before your Lordship. That is bound to take a little time because it means getting in touch with the actual persons on the spot.

Mr. JUSTICE JENKINS: How long would it take ?

THE SOLICITOR-GENERAL: Where the officers who caused these particulars to be distributed are at the moment I do not know. Precisely who they are would have to be ascertained. Whether they are in Palestine or not I do not know, but I assume that the probability is that they are in Palestine. That would have to be ascertained. Then they would swear on their own knowledge proper affidavits as to how this took place. As my learned friend pointed out during the early stages of this case, it is desirable that this matter should be disposed of as soon as possible because it is a question of the liberty of individuals, but if the allegation is persisted in, and if your Lordship rules that it is a relevant allegation, I am anxious not to leave the matter where it is.

I submit that the whole question is completely irrelevant. Even if it had been done in the worst faith possible - which it was not at all - there was ample power on the part of the Palestine Government to do what was done. I shall submit in due course, without making the submission now, that nothing illegal was done, and that nothing illegal would have been done even if this allegation had been correct.

What brought me to my feet was what in my respectful submission is a most unfortunate and monstrous allegation made by responsible Counsel which will not be curtailed within the limits of this Court, and which, unless it is fully dealt with, will produce the most unfortunate results.

Mr. JUSTICE JENKINS: Mr. Solicitor, I appreciate what you say, and if it were possible before the rising of the Court to-day to obtain an affidavit explaining how these leaflets came to be distributed that would be well and good, but I do not see how in a matter of this kind I can allow an adjournment.

THE SOLICITOR-GENERAL: If I may respectfully say so, your Lordship may take that view. I will see what can be done, but I have no doubt that the persons who are cognisant of precisely what happened are not within my reach at all, and certainly not between now and 4 o'clock. I should think that it is in the highest degree probable that I cannot get access to them quickly.

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Reference:-  
**FO**

371 / 61903



101

If I cannot get access to them quickly and if your Lordship rules that this case should be disposed of either to-day or as soon as possible, I must content myself with protesting as vigorously as I can against this most extravagant and improper allegation, in my submission, and I respectfully do so. I do not know what your Lordship is about to do, but I apprehend that, as your Lordship has just said, if I cannot get the proper evidence by - shall I say? - the conclusion of to-day's proceedings, then it will not be possible to get it unless there is an adjournment.

Mr. JUSTICE JENKINS: It may be that the argument will not finish to-day, in which case we must resume on Monday.

THE SOLICITOR-GENERAL: Even then I should think that it is doubtful.

Mr. JUSTICE JENKINS: If you get the evidence before the conclusion of the hearing well and good.

THE SOLICITOR-GENERAL: I think that it is doubtful whether I could get the evidence before the conclusion of the hearing even if the case does not finish to-day. I will not use any adjectives. From what I have been told there is no foundation whatsoever for any charge of bad faith. As I understand, what happened was that there was a routine distribution before the matter could be properly decided and the orders countermanded. That is, I understand, a general summary of the position, but I do not know precisely what the details were.

Mr. PRITT: I would like to say a few words about this because one must co-operate as fully as one can when time is the enemy. With regard to the Rules of the Supreme Court, my friend puzzles me. He finds a Rule which says that only in interlocutory proceedings can you give hearsay evidence, and you state the sources of your belief and you state what you believe. If my learned friend is implying by that that in Habeas Corpus proceedings the only evidence that can be given is legally admissible evidence he is stating the exact contrary of the practice which has always been followed. I have not at the moment verified it in the Rules, but for years and years in Habeas Corpus proceedings - and I have been engaged in a few of them - it has been the usual practice that you apply the same rule. Therefore my objection to my friend's affidavit was that these gentlemen had been led by somebody to say that they were stating things of their own knowledge when it was obvious that they were not.

With regard to my friend's statement that he wants to answer this allegation, let us be clear on the facts. This allegation was made in an affidavit sworn last week and delivered to the Government on Monday of this week. They have already had the inside of a week in which to prepare their evidence.

I do not know whether I am being too reasonable for once, but that leaves me still perfectly willing to do anything that I can by way of co-operation to ensure that the Government is given an opportunity to make an answer.

It is not really a matter for me, but perhaps I might presume to suggest the way in which they might go about their business, so that your Lordship can see how in fact it could be done. A cable, or even a telephone message, or a radio message could be sent to Palestine this afternoon. However they communicate with Palestine, communication is very quick when you want it to be. If a cable goes to Palestine this afternoon, somebody can start early to-morrow morning - which is only Saturday - preparing the very fullest cable reply that he likes to send, setting out everything that the Government has to say in its defence on this point. Then if one of these gentlemen, on Sunday afternoon or on Monday morning, swears an affidavit on information and

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371 / 61903



102

**Mr. FRITT:** Surely the affidavit is pretty plain. It says that the leaflets were distributed stating that the people were going to Cyprus when the Government has announced that they were going to France. When you get an allegation which is serious, one of the troubles always is that it is suggested that it may be wholly irrelevant. It may be. Your Lordship may form a view either in favour of the Applicants or against them which would enable your Lordship to dispose of the case without disposing of this charge, but I should still have considerable sympathy with my learned friend who has said that he wants to answer it.

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371 / 61903

These are serious charges and I make them with a knowledge of their seriousness. Therefore if my friend wants to deal with them I will co-operate with him in every possible way. I have perhaps said enough about that, but I hope not too much. This matter cropped up at the moment when I was reading the second affidavit of Mr. Rowson, and I have dealt with paragraphs 1 and 2 of it.

(The Solicitor-General addressed the Court on behalf of the Respondents).



103

**THE SOLICITOR-GENERAL:** My Lord, I have made my protest and I am content to leave the matter as it is. I entirely repudiate the suggestion, and that is that.

MR. PRITT: Then I quite understand. Let the position be understood. I am not making any allegation of fact. I am submitting to your Lordship that on the facts that are before your Lordship the proper inference from the facts is that the people were put on the ships in bad faith. I am bound to say that after learned Counsel for the Crown asked for permission to rebut this and said how earnestly he wanted to rebut it, he now will not make an application, in which I am prepared to concur, to give him time to do it. I do not say any more than that.

(Mr. Pritt then dealt with other points)

(Judgment follows, vide separate transcript)

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Royal Courts of Justice,  
Friday, 29th August, 1947.

In the High Court of Justice,  
King's Bench Division.

T H E   K I N G

- v -

H.M. SECRETARY OF STATE FOR FOREIGN AFFAIRS AND H.M. SECRETARY  
OF STATE FOR THE COLONIES.

-----  
Ex parte GREENBERG and others  
-----

J U D G M E N T.  
-----

The Treasury Solicitor,  
Storey's Gate,  
St. James's Park,  
S.W.1.

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105

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**Abstract**

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**Abstract**

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MR JUSTICE JENKINS: This is a Motion directed to the Secretary of State for Foreign Affairs and to the Secretary of State for the Colonies for a Writ of Habeas Corpus in respect of six named persons who are members of a party of some 4,500 odd persons on board one or other of three British steamships, "Empire Rival," "Ocean Vigour" and "Runnymede Park", which are now, I understand, on their way from the South of France to Hamburg.

The claim by these six named persons to the Writ is founded upon the contention that they are unlawfully detained, and the Motion has been launched by the Jewish Agency, in effect, to test the validity of the alleged detention.

The circumstances in which these six persons find themselves in their present situation are briefly these. As is well known, the question of the immigration of Jews into Palestine has for many years been the subject of acute controversy, and His Majesty's Government and the Government of Palestine have found it necessary to impose certain restrictions upon immigration. Those restrictions are strenuously objected to by many of the Jews, and in order to carry on their side of the controversy it has apparently become the common practice for the champions of unrestricted immigration to organise parties of Jews from Europe, many of whom, as everyone knows, have had a very hard time for many years past owing to the preliminaries of the war, the war itself and the aftermath of the war. They organise parties of these Jews for the purpose of sending them to Palestine to enter the country, if they can, in defiance of the Regulations restricting immigration.

These six persons appear to have been members of such a party of illegal immigrants, which set sail from the South of France bound for Palestine on a ship called the "President Warfield," or otherwise "The Exodus, 1947," with the intention, as I understand it, either of getting into Palestine by stealth or, if intercepted, of further embarrassing the authorities, who would then have on their hands a further 4,500 people to be dealt with somehow.

When the "President Warfield" was nearing Palestine it was intercepted by His Majesty's ships. Whether the actual interception took place inside or outside the territorial waters appears to be open to some doubt. On the whole I think that the better view is that it took place inside territorial waters, but be that as it may, the ship was escorted into territorial waters, and while it was within the jurisdiction of Palestine a Deportation Order was made in respect of the immigrants on the ship under the Palestine Defence (Emergency) Regulations of 1945.

Pursuant to that Deportation Order, the party of immigrants was transferred to the three British ships I have mentioned, and was taken in those ships to Port de Bouc in the South of France, arriving there, as I understand it, on or about the 29th July, 1947. Port de Bouc was selected because it was in the South of France, and the South of France was the place from which these illegal immigrants had set sail.

On arrival at Port de Bouc it seems that the immigrants were invited, and indeed pressed, to land in France, and arrangements were made with the French authorities, so that the French authorities were quite ready for them to land, but they refused to land, notwithstanding all the circumstances. Finally, as it were, an ultimatum was given that unless they

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Reference:-

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371 / 61903

107

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371 / 61903

371 / 61903

371 / 61903

371 / 61903



108

it is expressed to be made under Regulation 112. It was in these terms: "Whereas I am of the opinion that it is expedient for securing the maintenance of public order to make an order under Part X of the Defence (Emergency) Regulations 1945, as from time to time amended, in respect of each and every one of the persons who entered Palestine on board a ship which arrived off Haifa in company with certain ships of the Royal Navy on the 18th July, 1947, and is believed to be known as President Warfield. Now, therefore, in exercise of the powers conferred upon me by Regulation 112 of the Defence (Emergency) Regulations, 1945, as from time to time amended and of all other powers enabling me in that behalf, I, General Sir Alan Gordon Cunningham, K.C.B., D.S.O., M.C., High Commissioner for Palestine, hereby order the deportation of each and every one of the persons who entered Palestine on board a ship which arrived off Haifa in company with certain ships of the Royal Navy on 18th July 1947 and is believed to be known as President Warfield. And I do further order that, whilst awaiting deportation and whilst being deported, the said persons shall be kept in the custody of the General Officer Commanding, British Troops in Palestine and Trans-Jordan, and the Commodore Palestine and the Inspector General of Police or any of the said officers and persons acting by the authority of any of the said officers."

As I understand it, the legality and the validity of that Order in respect of all the immigrants on the "President Warfield" is not disputed, but it is contended that its efficacy is strictly limited to the territorial jurisdiction of Palestine, that is to say, it can only extend to the coast and to the three miles limit of sea from the coast; it can have no effect whatever outside that limit. Therefore, it is contended, as I understand it, that so soon as the three British ships to which these immigrants were transferred crossed the three miles limit the immigrants upon each of the three ships from being in lawful detention on the ships changed to the position of being in unlawful detention because they had passed out of the Palestine jurisdiction.

A further argument, which I confess that I found some difficulty in following, which was said to affect the position, arose in this way. According to the evidence in support of the Motion, reports were published in the Palestine Press, which the Deponent said that he believed, that leaflets had been distributed amongst the immigrants by the British Military Authorities "wherein it was stated that the said Jewish displaced persons" - those are the people to whom I am referring in this Judgment as immigrants - "were going to be transported in accordance with the said usual policy to Cyprus." The Deponent had explained that previous batches of illegal immigrants had been transferred to Cyprus, kept there in camps and from time to time drafted off into Palestine as the immigration situation was thought to permit by the authorities. There is that reference then to leaflets and statements to the effect that these illegal immigrants were going to be taken to Cyprus. In the evidence in reply that is carried a little further by the same Deponent, who says: "I have been informed by two persons who were present on certain of the ships mentioned in my said former Affidavit at Port de Bouc in France that various of the Jewish displaced persons upon those ships informed them that not only had they received copies of such leaflets but they had also been orally informed that they were being transferred to Cyprus."

On that evidence an argument of this nature is founded: it is said that it was represented to these immigrants that they were going to be taken to Cyprus. It is said that they

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371 / 61903

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would have been perfectly willing to go to Cyprus, and it is said that on the faith of those representations they went on to these three British ships and then found that instead of going to Cyprus as they expected and as they had been led to suppose, they were taken to France.

Very regrettably, in my view, Mr. Pritt thought it necessary to suggest, with I think not the least justification, that these leaflets were distributed in bad faith, and he said that the immigrants were induced to go on board these British ships by false pretences. In my judgment there is no justification at all for that. I am quite satisfied that if any leaflet about going to Cyprus was distributed or any statement made about going to Cyprus to this particular lot of immigrants, it was done under a misunderstanding because theretofore the usual practice had been for these batches of illegal immigrants to be taken to Cyprus. I have no doubt that whoever distributed any such leaflets or made any such statement, if indeed they were distributed or if such a statement was made, did so in perfect good faith. In any case, I fail to see how the distribution of those leaflets and any misleading effect they may have had could possibly have affected the legality of the detention of these immigrants on board the British ships. If there was power in the Deportation Order to transfer them to the three British ships and to keep them there, and I understand that that is not disputed so long as the ships were in Palestine territorial waters, I cannot for the life of me see how the legality of it could be affected because the persons in question were led to suppose that the ships were going to go to some other destination. That argument seems to me to be one which has no validity whatever, and it would have been hardly necessary for me to mention it except that the facts upon which it was based were made by Mr. Pritt a pretext for what I regard as a wholly unwarrantable attack on the bona fides of the British Government authorities. I pass from that.

As regards the argument that I mentioned first, namely, that the validity of the Deportation Order comes territorially or specially to an end as soon as the ships pass the three miles limit, in support of that contention Mr. Pritt referred me to the case of The Queen -v- Lesley, reported in Bell's Reports at page 220. That was a case in which the Chilean Government banished two Chileans, and in order to get rid of them they made a bargain with a master of a British ship under which the master of the British ship was, as I understand it, to convey them to Liverpool. On arrival at Liverpool it seems that the two Chileans, who did not want to go there at all, brought proceedings against the master of the ship for, amongst other things, false imprisonment, and those proceedings succeeded on the ground that whatever the law of Chile might be it could not justify the imprisonment of these Chileans on a British ship outside the area of the jurisdiction of Chile.

By parity of reasoning, say Mr. Pritt, whatever the situation might be within the jurisdiction of Palestine, once you get out of that jurisdiction the Deportation Order no more authorised the masters of the three British ships in this case to keep these immigrants on their ships than the bargain with the Chilean Government in Lesley's case authorised the detention of the banished Chileans on board the British ship once they got outside the jurisdiction of Chile.

I find myself unable to accept that argument, because, as the Solicitor-General has pointed out, in Lesley's case the matter was entirely one of a bargain. The captain of the ship undertook for reward to remove the people in question.

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371 / 61903



110

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expulsion of aliens, and to enforce those laws, it necessarily follows that the State has the power to do those things which must be done in the very act of expulsion, if the right to expel is to be exercised effectively at all, notwithstanding the fact that constraint upon the person of the alien outside the boundaries of the State or the commission of a trespass by the State officer on the territories of its neighbour in the manner pointed out by Mr. Justice Anglin in his judgment should thereby result. Accordingly it was in In re Adam definitely decided that the Crown had power to remove a foreigner by force from the island of Mauritius, though, of course, the removal in that case would necessarily involve an imprisonment of the alien outside British territory, in the ship on board of which he would be put while it traversed the high seas."

Finally, on page 547 Lord Atkinson says: "If, therefore, power to expel aliens who had entered Canada against the laws of the Dominion was by this statute given to the Government of the Dominion, as their Lordships think it was, it necessarily follows that the statute has also given them power to impose that extra-territorial constraint which is necessary to enable them to expel those aliens from their borders to the same extent as the Imperial Government could itself have imposed the constraint for a similar purpose had the statute never been passed."

I was also referred to the Japanese Canadians case, reported in 1947 Appeal Cases at page 87, and I refer to that case for only this passage at page 103 of the report: "Secondly, it was argued that, as a matter of construction, the War Measures Act did not authorize the making of orders having an extra-territorial operation. This point was relevant by reason that the orders in question in terms authorized 'deportation.' This point may be shortly disposed of. Extra-territorial constraint is incident to the exercise of the power of deportation" - then there is a reference to the case of Attorney-General for Canada -v- Cain - "and was, therefore, in contemplation. Any lingering doubts as to the validity in law of an Act which for its effectiveness requires extra-territorial application were, it may be added, set at rest by the Canadian Statute, the Extra-Territorial Act, 1933."

Then there was the Palestine case of Zabrovsky, reported in 1947 Appeal Cases, page 246. The passage to which I was referred is at page 262. That was a case in which a Deportation Order had been made in respect of the Appellant's son. He was removed to Eritrea under that Order, and the application was for an Order in the nature of habeas corpus. The decision was: "That by virtue of Section 46 of the Palestine Order in Council, 1922, English common law rules evolved in respect of habeas corpus were applicable in Palestine, and that the detention must be illegal lay at the root of the whole matter. The order of deportation and the ancillary powers of providing a place to which the deportee might proceed were legal as being within the competence of the Palestine Government under the relevant statutory emergency and defence provisions. No court in Palestine had authority to require production of the deportee in that country in defiance of an order lawfully made by its responsible Government."

At page 262 in Lord Wright's statement of their Lordships' reasons, this passage occurs: "While the deportation order stands and its legality is not overruled its effect is that Eliezer is required to leave and remain thereafter out of Palestine. Such an order is not ultra vires of a limited territorial power like Palestine, nor are the further or ancillary powers of providing a place to which the deportee may proceed

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371 / 61903

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(see Attorney-General for Canada -v- Cain, recently followed and applied by this Board in The Co-operative Committee on Japanese Canadians -v- The Attorney General of Canada.) The order, indeed, so long as it remains in force renders it unlawful for Eliezer to seek to enter Palestine, and no court in Palestine has authority to require his production in that country in defiance of an order lawfully made by its responsible government."

The last of the cases that I need mention is the case of Rex -v- Chiswick Police Station Superintendent; Ex parte Sacksteder, reported in 1918 Appeal Cases at page 578. The head-note is: "The Home Secretary made an order under the Aliens Restriction Act, 1914, and article 12 of the Aliens Restriction (Consolidation) Order, 1916, that a certain alien, who was a French subject of military age, should be deported from the United Kingdom and should remain out of the United Kingdom during the continuance of the war." Then a little lower down it says: "The Home Secretary had previously given general directions that any person named in a deportation order which was intended to be enforced immediately should be arrested and conveyed by ship from the United Kingdom and should be detained between the time of his arrest and the sailing of the ship selected for his passage. Acting under those general directions an assistant secretary in the Home Office caused instructions to be given to the police for the alien's arrest and conveyance to the ship selected for his deportation. The alien was accordingly arrested. On an application for a writ of habeas corpus:- Held, that the order for arrest was a valid order, and that the applicant was in legal custody. Semble, an order for the arrest and detention of an alien against whom a deportation order has been made must be made by the Secretary of State himself in each individual case; but held that in this particular case this had been done." Then there is another semble: "The Court can go behind an order for arrest, which is valid on its face, as, for instance, if it is a mere sham not made bona fide."

The passage to which I was referred is at the foot of page 587, and this is from the Judgment of Lord Justice Warrington: "First, with regard to the construction of the Act and the Order. It has been determined by the Court of Appeal in the Duke of Chateau Thierry's case that the power to make a deportation order does not confer the power to order the alien to be deported to any particular country. The members of this Court who decided that case also expressed the opinion that the Order in Council did confer upon the Secretary of State the power to select the particular ship upon which the man is to be placed. The decision in the Duke of Chateau Thierry's case was only that the deportation order was a valid order. What we have to decide is whether the man was in lawful custody, which is a different question. The power to select the particular ship indirectly undoubtedly involves a power on the part of the Secretary of State to send the man to a particular country selected by the Secretary of State. Whether it is desirable that such a power should be indirectly given when the statute and Order in Council do not give that power directly may be a serious question, but it does not arise in this case."

Those are I think all the passages that I need cite from the authorities. The conclusion that I draw from them is that on the principles stated in Cain's case I must attribute to Regulation 112 of the Palestine Defence (Emergency) Regulations, 1945, and to the Deportation Order made thereunder in the present case, such extra-territorial effect as is necessary to make a deportation effective.

Therefore, it seems to me that the effect of a Deportation

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371 / 61903

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Order must extend to the placing of the individual deported upon a ship outward bound from Palestine on the footing that the person in question is to be conveyed on that ship to its destination, whatever that may be. Unless that degree of extra-territoriality can be attributed to this Regulation and to the Order in question, it seems to me to be reasonably plain that no deportation could be effectively carried out at all. X

I think that one can go further, and say that the word "deportation" in itself has implicit in it the taking of the person in question from the country from which he is deported to some other place, and I think that prima facie, as was stated in Gain's case, the appropriate place to which the deportee should be taken where he arrives by sea must be the country from which he embarked.

Therefore, I cannot accede to Mr. Pritt's argument that the effect of the Deportation Order in this case was exhausted when the ships passed out of the territorial waters of Palestine. I think that it continued in force so far as is necessary for the purpose of placing the deportee on the soil of some other country.

But the matter does not rest there, for, as has been pointed out by the Solicitor-General and has been stated in evidence, and as I have already mentioned, when the immigrants arrived in these three ships at Port de Bouc they were pressed to land there and they refused. They were told that if they did not land there they would be taken on to the next port at which the ships proposed to call, at all events for the purpose of disembarking anyone, and that that next port would be Hamburg. They refused to disembark, and when the ultimatum, which had in the end to be given, had expired, the ships left. It seems to me that these immigrants, having been given the warning and given the choice, deliberately elected to go on in the ships to the next destination of which they had been informed.

Therefore, it seems to me that it would be possible to dispose of this case really on the short ground that whatever the position was at any point of time before arrival at Port de Boue, there can now be no question of illegal restraint, since the immigrants remained on the ships of their own free will after they had been invited to land at Port de Boue.

For these reasons it does not seem to me that a case for a Writ of Habeas Corpus has been made out.

There is this additional difficulty, that if in other respects there had appeared to be grounds for granting a Writ, the effect of the Writ asked for, as I understand it, would be an Order of the King's Bench Division to bring before it here in London the bodies of the six persons named in the Notice of Motion. Those six persons are aliens, and it is very difficult to see what the effect of the Writ would be in view of the restrictions that are in force in this country as regards the landing of aliens here.

These restrictions are contained in the Aliens Order, 1920, Paragraph 1(1) of which says: "Subject to any exemptions which may be granted under Article 14 of this Order, an alien coming by sea to a place in the United Kingdom, or coming by air from a place outside the United Kingdom - (a) shall not land in the United Kingdom without the leave of an immigration officer, and (b) unless he is a seaman, shall not land in the United Kingdom elsewhere than at an approved port: Provided that the



114

Secretary of State may, in special circumstances, allow an alien to land with such leave as aforesaid at any specified port, notwithstanding that it is not an approved port." Then there are provisions elsewhere in the Regulations, to which I need not refer in detail, enabling the Secretary of State to make Deportation Orders in respect of aliens.

In view of those Regulations I find great difficulty in seeing how the Court could direct a Writ of Habeas Corpus in the circumstances of the present case, even although it otherwise appeared proper to do so.

But in my judgment, for the reasons that I have given, it does not seem to me that a case has been made out for the Writ. I do not think that the persons concerned are, or at any material time have been, under illegal restraint. On the evidence it seems to me that the restraint was legal, and it seems to me that since they refused to land in France they are now in the position of persons who by their own choice are going to the next destination of the ships.

For all these reasons, in my judgment the Motion fails, and I refuse it with costs.

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371 / 61903

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Mr. Garrahan

F. O.

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With the compliments of  
— the Under Secretary of State  
for the Colonies.

Colonial Office,  
Downing Street,  
3rd Sept. 1947.

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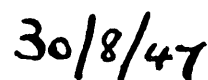
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371 / 61903

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I have been asked to draw your attention to what is doubtless a printing error in today's issue of the Times in the Law Report of the Chancery Division action **THE KING v. H.M. SECRETARY OF STATE FOR FOREIGN AFFAIRS AND H.M. SECRETARY OF STATE FOR THE COLONIES**  
Ex Parte GREENBERG AND OTHERS.

I am sure you will agree that the sentence should read ..... Very regrettably in his (his Lordship's) view, Mr. Pritt had thought it necessary to suggest that the leaflets in question were distributed in bad faith. ....

(Antony J.) H. Haler,  
Press Officer)

THE EDITOR,  
THE TIMES.

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Registry  
No. E 8195/1585/31

Draft.  
☒ Top Secret.  
☒ Secret.  
☒ Confidential.  
☒ Restricted.  
☒ Open.

NOTHING TO BE WRITTEN IN THIS MARGIN.

To  
L.S. Brass Esq. CBE  
HOME OFFICE

from  
Mr. Vallat

Mr. Vallat first  
C.S.  
1/4

Yours sincerely  
(Sd) F.A. Vallat.

Dear Mr Brass.

I think you may  
like to see the judgment (in the case of)  
be interested in the ~~the~~ ~~affiliation~~ ~~in the case of~~  
for Habeas Corpus ~~actions~~ ~~Ex parte~~  
Greenberg and others, which  
was recently rejected by  
Mr. Justice Jenkins. In his  
judgment, of which I enclose  
a copy, he discusses the  
question of placing deportees  
on ships bound for a particular  
destination, ~~which is~~ ~~this is~~  
first in which, ~~enclosed~~ ~~your~~  
Dept. having regard to  
recent letters from your  
Department, I feel sure that  
you are interested.

18th Sept

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(E. 8195/1585/31)

Dea. W. B. B. B.

Yours sincerely  
(854) F.D. Vallab

L. S. Brass, Esq., C.B.E.,  
Home Office.

[illegible]

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in Registry

Last Paper.

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References.

(Print.)

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completed.)

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Next Paper.

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32003 F.O.P.

*Memo for UNSCOP.*  
*Research copy of Memo on Zionism and*  
*the Arab World, submitted to UNSCOP*  
*by Jewish Agency.*

(Minutes.)

*Please see minute within. I don't think*  
*it was worth the money.*

*Finance Dept.*  
*M. A. S. 7/11*

*Stable*  
*(S.E. CASE)*  
*1/11*

*Mr. Longley: Tomato*

*Ch. 1/11*

NOTED JOURNALS SECTION 1.

*HL 7/11*

*JOHN. 8*

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After entry this sh<sup>d</sup>  
be submitted to Finance  
Dept as we authorised the  
Doorkeeper to pay 6/6<sup>d</sup> charges  
to the people who delivered  
the package (Pan American  
Airways, I think).

A. H. Kunkle  
— 35710

**Nothing to be Written in this Margin.**

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THE JEWISH AGENCY FOR PALESTINE

Memorandum on

ZIONISM AND THE ARAB WORLD

submitted to the United Nations  
Special Committee on Palestine.

(NOTE. This memorandum amplifies and  
brings up to date the section on Zionism  
and the Arab World, "The Jewish Case"  
pp. 343 - 360)

Jerusalem, July, 1947.

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TABLE OF CONTENTS

	<u>Page</u>
1. Introduction.	1
2. The Position in Equity 1917.	2
3. The Position in Equity 1947.	7
4. Economic Effects of Zionism.	8
5. Significance of Jewish Development for the Middle East.	12
6. Social and Cultural Effects.	16
7. Zionism and Arab Unity.	18
8. Arab reaction to Jewish State.	21
9. Proposed Solution in the Light of Arab-Jewish Relations.	21
10. Conclusion.	23
11. Appendix:- Pledges to the Arabs.	24

1	2	3	4	5	6
1					

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371 / 61903

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Those who drew up the Mandate with the clear purpose of assisting the Jews to achieve national independence were not conferring any privilege or benefaction. They were asserting the principle of equal rights for the Jews as for all other peoples. They implied that the status and prerogatives enjoyed by all other ethnic or cultural groups including the Arabs were not an excessive benefaction for the Jews.

The most authoritative historian of the Arab national movement acknowledges this challenge in the following terms:

The ways of legitimate satisfaction are open. The "further cruelty" is not warranted - and it does not befit the United Nations to inflict it.

Palestine cannot be considered on the same basis as the surrounding Arab countries. The constant theme of Arab propagandists is that Zionism gives Palestine a different political structure and destiny from those which distinguish "other Arab countries". The last three words conceal a profound fallacy on which much inaccurate thinking is based. The historic personality of Jerusalem is not akin to that of Damascus. The Valley of Sharon is not at one with the Tigris Valley, in past association, or in present aspect, or in future destiny. Palestine cannot be described as an Arab country, either by historical significance or in respect of the forces which now shape its political and social character. The Arabs complain that Palestine is not assuming the same image of Arab independence as Syria and Iraq. But to say this is to advocate that Palestine's personality be artificially assimilated to a pattern not its own. For Palestine owes its lustre in the history of mankind to its Jewish connections, just as Damascus and Baghdad, Cairo and the Holy Cities of Arabia are the undisputed heritage and achievement of Arab history alone. The recognition that Palestine has an individuality of its own which sets it apart from its neighbours is the beginning of all wisdom in this investigation. And this recognition has entered deeply into the consciousness of mankind.

"The history of Jewish Palestine had been enacted for the most part in a country about the size of Wales; but it constitutes one of the great chapters in the story of mankind. By two primary achievements, the gift of Hebraism in ancient Palestine to the modern world must rank with the gifts of ancient Greece and Rome. Christians moreover cannot forget that Jesus was a Jew who lived on Jewish soil and founded His gospel on a basis of Jewish life and thought."

[illegible]



At the same time the Royal Commission observed that Palestine had not played any such central or unique role in Arab history.

"In the twelve centuries and more that had passed since the Arab conquest, Palestine had virtually dropped out of history."

It had, in fact, become anonymous - a mere province of Southern Syria. For the very identity of Palestine as a unit of human society is a function of Jewish history. The country lost its separate character with the Jewish dispersion and only resumed a specific role when the Palestine Mandate was ratified.

The Mandate acknowledged this truth by setting Palestine in a distinct and separate context in relation to the Arab world. Speaking in the House of Lords, on June 27, 1923, Lord Milner declared himself "a strong supporter of pro-Arab policy ... I believe in the independence of the Arab countries.... I look forward to an Arab Federation." But, he went on,

"Palestine can never be regarded as a country on the same footing as the other Arab countries. You cannot ignore all history and tradition in the matter ..... and the future of Palestine cannot possibly be left to be determined by the temporary impressions and feelings of the Arab majority in the country of the present day."

Nor is the non-Arab character of Palestine a matter of past history alone. The operation of the Mandate has transformed the scene: the country's revenue, its social and cultural institutions and its agricultural and industrial progress, are largely the results of Jewish initiative and effort.

#### The Position in Equity: 1917.

Prior to the decision of the Principal Allied Powers with respect to the disposition of the Ottoman Empire in 1920 and the approval of the Palestine Mandate by the League of Nations in 1922, allied statesmen were well aware of objections to the Balfour Declaration by Palestine Arabs which followed the warm endorsement of that document by the Arab leaders at the Peace Conference in 1919. Arab nationalist sentiment has flared up in the Nebi Musa disorders on April 4, 1920. Various Arab "Congresses" and committee had declared their opposition to the policy of the Jewish National Home. An Arab Palestine Delegation in London in 1922 had presented to the British Government the principal claims advanced today by the Arabs; and those objections were forwarded to the League of Nations some time before its approval of the Mandate.

That Arab passions had become enflamed and that leaders of extreme nationalist elements found the agreements and promises of the Arab leaders at the Peace Conference unpalatable, did not weaken the justice or moral basis of the Jewish case. Nor did this suddenly transform Zionism, from a process which Arab leaders had regarded as reconcilable with Arab welfare into a peril to the Arab nation.

The Arab case was fully argued before the council of the nations of the world 25 years ago, and a unanimous decision was reached. It was reached by a balancing of equities. The statesmen of the world, weighing rival claims in an effort to confer national independence on all peoples, intended that a number of independent Arab states would be set up in more than 1,000,000 square miles of what was formerly Ottoman territory; and that the Jews, as part of that same settlement, would be given the opportunity to transform Palestine into a Jewish State. As between the Arabs and the Jews, both claiming the same territory, it was found that the balance of equities favored the claim of that people which had no other national territory as against the people which had just been liberated and confirmed in the possession of enormous areas.

The Balfour Declaration, therefore, was part of a comprehensive Middle Eastern policy conceived from an international viewpoint with the object of harmonising the aspirations of Arab and Jewish nationalism. Those concerned with making a peace settlement regarded a Jewish Palestine

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as a meagre compensation to be demanded of the Arabs for the multiple independence which they had gained elsewhere. Lord Balfour, reminding the Arabs of what they owed to the Allied Powers, hoped that "remembering all that, they would not grudge the small notch in what are now Arab territories being given to the people who for all these hundreds of years have been separated from it."

Arab leaders themselves acquiesced in the justice of this approach. In the Arabic newspaper Al Qibla (Mecca), No.183 of March 23, 1918, an article ascribed by Mr. George Antonius\*to King Hussein himself discusses the Jewish return in cordial terms:

"At the same time we saw the Jews from foreign countries streaming to Palestine ... The cause of causes could not escape those who had the gift of a deeper insight, they knew that the country was for its original sons (Abnaihi 'l' aslyin) a sacred and beloved homeland .... The return of these exiles (jaliya) to their homeland will prove materially and spiritually an experimental school for their brethren."

King Hussein, the leader of the Arab liberation movement, was represented at the Peace Conference by his son Emir Feisal (later King Feisal of Iraq). In the official record of the Peace Conference the leader of the Arab delegation is quoted as having declared:

"Palestine for its universal character he left on one side for the mutual consideration of all parties interested. With this exception he asked for the independence of the Arabic areas enumerated in the memorandum." \*\*

Even the Syrian national delegation to the Peace Conference which claimed Palestine as part of Syria, freely conceded the Jewish claim to resettle the country and constitute its Government. In a statement of the Council of Five the Syrian delegation said:

"Palestine is incontestably the Southern portion of our country. The Zionists claim it. We have suffered too much from sufferings resembling theirs not to throw open wide to them the doors of Palestine. All those among them who are oppressed in certain retrograde countries are welcome. Let them settle in Palestine, but in an autonomous Palestine, connected with Syria by the sole bond of federation. Will not a Palestine enjoying wide internal autonomy be for them a sufficient guarantee? \*\*\*

If they form the majority there, they will be the rulers."

On January 3, 1919, the Emir Feisal, representing and acting on behalf of the Arab Kingdom of the Hejaz, and Dr. Weizmann, representing and acting on behalf of the Zionist Organisation, signed an agreement in London in the hope of inaugurating a period of good understanding. This agreement spoke of cordial cooperation between the Arab State and Palestine, the acceptance by the Arabs of the Balfour Declaration and the encouragement of Jewish immigration to Palestine. The conditions which Feisal stipulated were that everywhere else in the Near East - in Syria and Iraq, as well as in the Arabian Peninsula - Arab sovereignty should be freely acknowledged. The Royal Commission wrote:

\* Arab Awakening, p.269.

\*\* Truth about Peace Treaties, David Lloyd George, 1938, Vol.II, p.1042.

\*\*\* My Diary of the Peace Conference David Hunter Miller, Vol.XIX Minutes of the Supreme Council pp.389 - 415.

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"If King Hussein and the Emir Feisal secured their big Arab State they would concede little Palestine to the Jews". x)

The achievement of Arab independence in Syria and Iraq was delayed by the institution of mandatory regimes. But the Royal Commission has pointed out that the conditions which the Arab nationalists hoped would exist in 1922 do exist today now that the independence of all the Arabs outside Palestine has been formally recognized.

"There was a time when Arab statesmen were willing to concede little Palestine to the Jews provided that the rest of Arab Asia were free. That condition was not fulfilled then, but it is on the eve of fulfilment now" xx)

A highly significant passage in the same report reminds the Arabs how little justified they are in grudging the Jews a fraction of what they have secured for themselves:

"The Arabs do not appear to realize in the first place that the present position of the Arab world as a whole is mainly due to the great sacrifices made by the Allied and Associated Powers in the War. But for the Allied victory, it is improbable that all the Arab countries, except Palestine, would now have become or be about to become independent states". xxx)

x) Ch. II, para 26, p.27

xx) Ch. XXIII, para 5, p.395

xxx) Ch. II, para 19, p.24

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xx) Speech London Opera House, 2nd December, 1917.

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377 / 61903



The Arab claim on the basis of the principle of self-determination assumes that that principle is a static and absolute concept that must apply to existing populations alone. A moment's reflection reveals that the application of any such absolute principle in international life must result in chaos. The concept of Arab self-determination must be viewed in the light of the achievement of Arab independence by many millions in vast areas and not solely from the viewpoint of the small fraction of the Arab people living in Palestine. In that perspective, it cannot be said that the principle of self-determination was flouted by the Palestine Mandate.

#### THE POSITION IN EQUITY: 1947

The nations of the world might reasonably consider that they have realized their obligations to the Arabs whose political success and influence is out of all proportion to their essential strength, and certainly in excess of that which is enjoyed by many nations who have contributed and sacrificed more in the cause of modern civilization and democracy. The Arabs, indeed, are the godchildren of modern history, born with a silver spoon in their mouth. Their liberation was effected primarily by the efforts of Allied armies. They have now escaped from a new bondage and emerged unscathed from a war which devastated and starved so many centres of human habitation and in which they themselves played little part. They are a stated power. They cannot compete with the Jews in the unenviable arenas of need and suffering. The United Nations, conscious of the impulses which have brought them together, cannot ignore this context of relative equity, war-service, suffering and need. For against the background of Arab sovereignty, territorial abundance, vast economic opportunity, we have the sombre picture of the position of the Jewish people, with no permanent voice in international councils, its manpower reduced by a wholesale, systematic massacre and its one avenue of potential national freedom besieged and attacked by an Arab nationalist movement which could surely find more constructive and liberal things to do. A Jewish Palestine threatens neither the existence nor the welfare of the Arab world. It implies no reduction in the main total of the Arabs' political weight. It affects their economic situation only to their advantage. It leaves their specific culture full scope for development in every one of the centres with which it has been historically associated without in the least threatening it in Palestine.

The highest figure of Jewish population for Palestine which has ever entered into the calculation or predictions of responsible statesmen for this generation is four million (the figure mentioned by Mr. Winston Churchill in 1920). It is far-fetched to assume that Palestine even at this maximum rate of growth and settlement would have the capacity or the inclination to disturb the general structure of Arab independence affecting 37 million people in a million and a half square miles. It is understandable, though not fortunate, that the Arabs set their desire for an eighth Arab state above the claims of the Jews to realise their only hope of national independence. An international tribunal however must adjudicate on more objective grounds. And the United Nations may well ponder the judgment of the last international forum before which this discussion was presented.

"Was not consent to the establishment of a Jewish National Home in Palestine the price - and a relatively small one - which the Arabs had paid for the liberation of lands extending from the Red Sea to the borders of Cilicia on the one hand, Iran and the Mediterranean on the other, for the independence they are now winning or had already won, none of which they would ever have gained by their own efforts and for all of which they had to thank the Allied Powers and particularly the British forces in the Near East? There were other people who, because they had failed to win independence by their own efforts, had paid for their independence by far heavier sacrifices, and in regard to whom the conscience of the world had nevertheless not been touched, even though the sacrifice demanded was not in any way designed to relieve another people whose fate deserved equal attention".  
(M. Orts, Chairman of the Permanent Mandates Commission, 1939 Report of Pres., 36th Session, page 275).

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## ASPECTS OF MAJORITY AND MINORITY STATUS

The Arab claim to Palestine as an Arab State implies that a minority status is inadmissible for any Arab community; that there exists a discrimination between the natural rights of Arabs and Jews whereby the Arabs must be a majority wherever they live and the Jews remain a minority in every country - including that designated for their National Home by the conscience of the world.

It is not the case that the Arabs and the Jews would be equally aggrieved or endangered by accepting a minority status in Palestine. For the Jews such a status would mean the end of all hope that the Jewish people would enter the family of nations as a member with its own distinctive identity. For the Arab nations it would imply a slight limitation, by no means a denial of national sovereignty. In concrete terms it would mean that the Arab voice in world affairs was represented by seven and not by eight states. M. Orts, quoted above, deemed this a "slight sacrifice". It is not a major catastrophe if a minute fraction of the Arab people lives outside the sphere of Arab independence, provided that their personal status is secure. There are many peoples enjoying national independence, fractions of which live outside their national borders under foreign rule, but this is not regarded as intolerable so long as the nation as such is not deprived of a free and independent status in the main centre of its life.

Moreover, any Arab minority in a Jewish State would still be an integral part of a race exercising unchallenged predominance throughout the entire Middle East. They would be surrounded on all sides by kinsmen enjoying the full panoply of sovereign independence. Thus their minority position would be formal rather than virtual. It would be impossible for any Jewish authority established in Palestine, interested in maintaining close relations with its neighbours, to show neglect or lack of consideration for the rights of Palestinian Arabs. The situation would be far different for a Jewish minority crystallised permanently as such within the borders of an Arab state. For the Jews have no neighboring kinsmen whose support can be invoked on their behalf; and if they themselves achieve no sovereignty in Palestine there are no Jewish states elsewhere to espouse their cause. It is sometimes suggested, that the Jewish National Home might find security despite its minority status by being granted some form of international guarantee. Among European states the system of minority guarantees entirely failed. There is no reason to expect them to succeed in Arab countries, none of which in recent years has evinced a liberal or sympathetic attitude to minority or separatist movements. It is sufficient to recall the experience of the Kurds and the Assyrians in Iraq and of Jewish communities in all oriental countries to realise how scant is the chance of an Arab government applying the spirit and the principles of federal autonomy in deference to the specific cultural and political characteristics of minority communities.

Moreover, Arab leaders in Palestine, though they sometimes pay lip service to the doctrines of equalitarianism, have never concealed their belief that the Jewish National Home possesses excessive powers and liberties already; and it would obviously be their first care on assuming power in Palestine to curtail and restrict Jewish liberties. Nor can the Jews forget that Arab predominance would involve the supremacy of Arab leaders who plotted with Nazi Germany for the "destruction of the Jewish National Home". Jews assert that minority status is what they are running away from - not what they go to Palestine for; the National Home could never survive under the same conditions as those from which Jews have suffered so cruelly in Europe.

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## ECONOMIC EFFECTS OF ZIONISM

The Jewish economic structure is examined in detail elsewhere. We are concerned in this chapter to investigate whether the influence of Jewish effort is, as the Arabs allege, inimical to Arab interest, or whether, as the Jews contend, their energies are beneficial to Palestine as a whole and to the entire Middle East.

Those who inaugurated the National Home policy relied on two main justifications - the one political, the other economic and social. The political assumption was that the Arabs would obtain so large a measure of political opportunity elsewhere that it was just and equitable to reserve Palestine as the scene of a predominantly Jewish society. The economic and social justifications lay in the hope that the Jews might quicken and invigorate the life of Arab society. Colonel T. E. Lawrence wrote:

"The success of their (i.e. the Zionists) scheme will involve inevitably the raising of the present Arab population to their own material level, only a little after themselves in point of time, and the consequence might be of highest importance for the future of the Arab world. It might well prove a source of technical supply rendering them independent of industrial Europe, and in that case the new confederation might become a formidable element of world power. However, such a contingency will not be for the first or even for the second generation, but it must be borne in mind in any laying out of foundations of empire in Western Asia. These to a very large extent must stand or fall by the course of the Zionist effort ..."

(Oriental Assembly, Williams & Norgate, p.92.)

It remains to consider whether these hopes have been realised; and the evidence is abundant and convincing. "It can be stated without fear of contradiction that the standard of living of the Palestinian Arabs in general has very substantially improved during the period of mandatory administration." (A Survey of Palestine, prepared by the Government of Palestine, 1946; p. 697.)

It is not claimed that all Arab progress derives from Jewish achievements. But it is relevant to note how the Arabs have prospered - with a large increase of population - during the period of Jewish resettlement in Palestine.

Ten years ago, the Palestine Royal Commission, after considering all the evidence, came to the following conclusions in its Report (p.128-129):

- 1) Jewish capital has had "a general fructifying effect on the economic life of the whole country."
- 2) Arab industry and citriculture "has been largely financed by the capital thus obtained."
- 3) "Jewish example has done much to improve the Arab cultivation."
- 4) "Owing to Jewish development and enterprise the employment of Arab labour has increased in urban areas."
- 5) Jewish anti-malaria work and reclamation "have benefited all Arabs in the neighbourhood."
- 6) Jewish public health and welfare institutions have also served Arabs. "Hadassah, for example, treats Arab patients, notably at the Tuberculosis Hospital at Safad, and the Radiology Institute at Jerusalem admits Arab countryfolk to the clinics of its Rural Sick Benefit Fund, and does much infant welfare work for Arab mothers."

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7) The beneficent effect of Jewish immigration is shown by the marked Arab population increase in areas of Jewish development. "A comparison of the Census returns in 1922 and 1931 shows that six years ago, the increase per cent in Haifa was 86, in Jaffa 62, in Jerusalem 37, while in purely Arab towns such as Nablus and Hebron it was only 7, and at Gaza there was a decrease of 2 per cent."

Finally, there was the matter of increased Government revenue which enabled the Administration to spend more money on social services for the Arabs. "Arab witnesses ... could not deny that such public services ... had benefited their people; nor could they deny that the revenue available for those services had been largely provided by the Jews."

The Palestine Government, in its evidence, before the Anglo-American Committee, produced figures to show the relative contributions of the Jews and the Arabs to public revenue in Palestine. According to their estimate, the Jewish contribution to the revenue from income tax amounted to approximately 68% of the total. For the year 1944-45, the total revenue from income tax amounted to £2,821,177, and the Jewish share amounted to £1,912,852; the Arab share was £409,560. Similarly, upon an analysis of the revenues from other sources, it appeared that the Jewish contribution on the whole was 62.7% of total revenue, and that the Arab and others' share was 37.3%.

While the Government says that it is impossible to determine the benefits from public expenditure derived respectively by the Jewish and Arab communities, it must be clear that since the Jews finance so many of their own public services, the balance in favor of the Arabs is very considerable.

Social services supported by increased Government revenue have been of particular benefit to the Arabs. Thus 85% of the patients entering Government hospitals in 1944 were Arabs. Since the beginning of the Jewish settlement the Palestine Department of Health expanded from a budget of LP 84,440 in 1924-25 to LP 543,000 in 1944-45.

Malaria, once the scourge of Palestine, has been reduced to a negligible figure. In 1922, malaria patients amounted to 7.17% of all patients treated; in 1942 this percentage dropped to 0.40%.

Since the Balfour Declaration, Palestine has changed from a country of Arab emigration into one of Arab immigration - a phenomenon observable in none of the adjacent Arab countries who express solidarity with the supposedly wronged Arabs of Palestine.

Owing to improved health and economic conditions, Palestine's Arab population has increased both relatively and absolutely. Employment opportunities have attracted Arab infiltration from Syria and Trans-Jordan, thus reversing a historic trend. In 1913, for example, 2,000 emigrated from the Jerusalem district alone. In 1923-27 between 20,000 and 30,000 Arabs entered Palestine; at the same time an average of 9,300 Arabs emigrated from Syria annually.

But by far the largest single factor in the augmentation of the Arab population has been improved medical service. Jewish and Government anti-malaria work, public health stations, clinics, and improved hygienic conditions generally have sharply cut down the death rate and, particularly, infant mortality. In 1924-30 the infant mortality among Palestine Arabs was one of the highest in the world - 192 per 1,000 live births. By 1939 this was reduced to 121, as compared to 203 for Egypt (1936-41).

As a result, the Arab population has grown from 565,000 in 1922 to 1,200,000 in 1947 - a rate of increase of more than 100%. No other Moslem country, or any other country for that matter, has shown a comparable increase, a doubling of its population in 25 years. (In Egypt the increase has been 25%, in Japan 21%).

While Arab infant mortality has been sliced by 28%, school attendance has increased by 84%.

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Far from being economically harmed by Jewish immigration, as Arab propagandists claim, Arab wealth and prosperity have steadily increased. This is shown by the tables in A Survey of Palestine (2 vols., 1946), which the Palestine Government submitted to the Anglo-American Committee of Inquiry in December, 1945 and January, 1946. (See ch. 16).

A few comparative figures will illustrate the point:

In 1928 the total Arab winter wheat crop was 118,978 tons and summer crop 83,888. In 1942 the figures stood at 234,674 and 488,452 respectively.

In 1928 the Arabs produced 15,678 tons of melons; in 1945 they grew 142,827.

In 1939 the Arabs had LP 376,000 deposited in their two banks; in 1945 this had leaped to LP 6,971,000. During the same period Arab banks increased their capital by about 60%.

In 1931 the Arabs had about 4,000,000 olive trees; by 1945 this figure was nearly doubled.

In 1930 the Arab land planted to citrus was around 45,000 dunams; in 1945 it was about 133,000.

An authoritative American economic commission, led by Mr. Robert Nathan, formerly chairman of the Central Planning Division of the War Production Board, made an exhaustive survey of the economic potentialities of Palestine in the year 1943-44. They arrived at conclusions which support the Royal Commission's view, with the addition that certain schemes of irrigation and re-settlement propounded by American scientists and engineers would, if carried out, expedite the economic resurgence of the Arabs of Palestine at a pace which cannot be envisaged if Jewish development proceeds at its present rate.\* Dr. Lowdermilk, a soil conservation expert of the United States Government, who drew up a scheme for the Jordan Valley Authority, reached the following conclusion after examining on the spot the problems of soil conservation and erosion in Palestine:

"Our observations in Palestine convince us that Jewish settlement not only has done no harm to the Arabs but has actually raised their standard far above that of the Arabs in the neighboring lands." \*\*

Sir John Russell, chairman of the Agriculture Committee of the Inter-Allied Post-War Requirements Bureau, asserts that "these remarkable developments have benefited the whole country, and there has been a considerable rise in number of population and in standard of living both among the Jews and the Arabs."

\* R. R. Nathan, J. Gass, D. Greener, Palestine: Problem and Promise.

\*\* Walter C. Lowdermilk, Palestine Land of Promise.

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On the 24th November, 1938, the Secretary of State for the Colonies declared in the House of Commons:

"The Arabs cannot say that the Jews are driving them out of the country. If not a single Jew had come to Palestine after 1918 I believe the Arab population of Palestine would still have been round about the figure 600,000 at which it had been stable under Turkish rule. It is because the Jews who have come to Palestine bring modern health services and other advantages that Arab men and women who would have been dead are alive today, that Arab children who would never have drawn breath have been born and grown strong; It is not only the Jews who have benefited from the Balfour Declaration. They can deny it as much as they like, but materially the Arabs in Palestine have gained very greatly from the Balfour Declaration."

(Mr. Malcolm MacDonald, House of Commons Official Report,  
24 Nov. 1938).

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## SIGNIFICANCE OF JEWISH DEVELOPMENT FOR THE MIDDLE EAST

The direct effects of the Zionist economic process on the Arabs are necessarily restricted to Palestine and these have been surveyed in Part II. But a process of this character cannot fail to have a message and an influence for the surrounding countries as well. And when the Mandate was ratified there was a clear vision in many minds of what Jewish effort might signify for the Near East as a whole.

It is quite clear that the Arab nationalist leaders, after their successful revolt, and the British advisers who had woven the Arab movement into the pattern of the Allied war effort in World War I were not considering a Jewish Palestine in a mood of philanthropy. From the standpoint of the interests of Arab nationalism, the acquisition of nominal sovereignty by the Arabs was recognised as only the first step in the building of a nation. For four centuries under Ottoman rule these territories had languished and decayed. As far as the Arab Middle East was concerned, the French Revolution might never have happened. The doctrines of human rights and personal liberty had not penetrated the citadels of Islamic authoritarianism. Similarly, the Industrial Revolution might never have come to pass. The period of invention and discovery in the natural sciences, which had increased the productivity of all human effort and transformed the horizons of human welfare, had passed by the Arab East unknown and unheeded. The agricultural resources of these countries had dwindled through human neglect and persistent erosion. Whatever raw materials or sources of wealth lay beneath the soil were unexplored and unexploited. In fact, the squalor of the Middle East had become accepted as an integral part of its natural scenery. And with this poverty, both as cause and effect, there went ignorance and social oppression.

It must be clear to any far-sighted observer that this is not the stuff of which proud and self-governing nations are made. Perhaps if Arab nationalism remains content to perpetuate the old forms of Moslem society the condition of the masses is an irrelevant consideration. But progressive Arabs have avowedly set their eyes upon Western forms and institutions, based upon individual freedom and personal liberty. If this is the aim, then the condition of the individual Arab, his health and his welfare, above all his education and spiritual outlook, determine the prospect of success. And if within one generation these nations are to be fitted to assume the functions of sovereignty and enter into the family of nations as equals, they have to catch up with the development of centuries.

What the Arab countries, then, most require in order to give reality to their new-found independence, is Western progress. Not merely the West in terms of its scientific and technical resources; but also the West with its ideal and its spirit, its recognition of the individual as the touchstone of social welfare, its pursuit of widening horizons of human creativeness. It has happened in the past that many nations have experienced a sudden impact of Westernisation, but this was usually brought by an imperialist power and led to occupation and direct rule. Thus, in receiving the resources and technique which were to give reality to their independence, backward countries had lost their independence itself. But the Middle East is in no such danger. In this area westernism is represented by a local force, not by an imperialist power. The spirit and resources of the West can be imported by a people too small in numbers to make political domination the price of its economic benefit. And Jewish effort, far from being expansionist in nature, is avowedly concentrated. It operates in a small notch of the Orient: it can affect the rest only if its examples are voluntarily accepted and emulated.

The general social and economic disabilities of the Middle East, spring from no lack of resources or potentialities but from obsolete methods of organisation, distribution and techniques. The primary changes affecting Arab society are a rapid population increase and a tendency of urbanisation with a consequent shift from primary to secondary and tertiary occupations.

The growth of population in the Middle East has not everywhere been accompanied by an expansion of resources or development of techniques as it was in Europe. In some parts of the Middle East increasing multitudes have striven to subsist on static resources of wealth. But in most Near Eastern countries the population is too meagre to produce economic revival

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In Egypt, 3½ per cent of the land which is regarded as cultivable must somehow sustain a population of 17,000,000 as against 9,000,000 fifty years ago. The peasant's allotment grows smaller, obsolete methods of cultivation persist and a rock-bottom of decline is reached with an agricultural population, disease-ridden and drowned in debt, living on an average per capita income of five pounds annually. This poverty is so extreme, that instead of becoming an incentive to reform, it produces an apathy which forbids all change. "The vast majority," writes Cleeland\*, "have diseases which enervate their bodies and dull their minds and diminish their ~~ambitions~~ to a sufficient extent so that they have no courage to face an adventure into some area where they might improve their condition."

Agricultural and industrial opportunities in Iraq are restricted by underpopulation. It is not that the land cannot produce more wealth, but that the existing population is incapable of developing productivity to its full extent. The enslavement of the fellah and archaic methods of land tenure are important factors in maintaining the general standard of life at a primitive level. The number of those employed in industry hardly exceeds  $\frac{1}{2}$  per cent of the total population, despite the role of the oil industry in absorbing industrial labour. An Iraqi authority estimates that 80% of the population lives below the subsistence level of 12 pounds per annum. The infant mortality up to the age of five is over 50 per cent. Ninety-Five per cent of the population is illiterate.\*\*

"A large proportion of the emigration from the state of Syria may be traced to the inability of the Syrian peasantry to gain an adequate living in agricultural pursuits either as labourers or as proprietors. Wages of agricultural labour are very low because of its low productivity, and employment is seasonal. The use of primitive methods of cultivation has kept the productivity of the soil so low that even in good years the struggle for existence is difficult." \*\*\*

And this bleak agricultural prospect is nowhere enlivened by industrial activity. The same authority estimates that of Syria's total area of 66,000 square miles only 15,500 can be cultivated by existing methods and only half this amount is actually under cultivation. He concludes that under the present system of land tenure and cultivation the Syrian peasantry has no prospects of raising its subsistence level.

\*\*\* Economic Organisation of Syria. S. Himadeh, p.15 (Beyrouth 1936).

[illegible]



Lebanese authority summarises the situation thus:

"The income of the peasant before the present war had become so restricted as scarcely to permit him to satisfy the most pressing needs of his family. This unhappy situation was not exclusive to the Syrian peasant but was observed in certain regions of the Lebanon as well. In the course of an enquiry, conducted in 1938 upon the request of the Society for the Relief of Lebanese partisans in a number of villages, it was found that the annual resources have fallen to 15 Lebanese piastres per day per head (i.e., less than one Palestine piastre)." \*

Most observers of the Middle Eastern scene agree that the answer to these problems lies in modern forms of social cooperation backed by the introduction into the Middle East of new capital resources. In his thoughtful study "Syria and Lebanon", Mr. Albert Hourani writes:

"The fundamental social forms, however, are slower in changing. The dominant social class is still that of the landowners, who continue to possess a semi-fuedal status. No other social class is strong or self-conscious enough to stand against them. The cultivators have little effective power of moving from one estate or region to another; although intelligent, they are too un-enlightened to have much effective sense of grievance or capacity for political or economic combination. Only in parts of Lebanon does there exist a considerable number of free and comparatively enlightened smallholders. As yet there is neither an industrial middle class of importance nor an organised urban proletariat (although there are the beginnings of a trade-union movement). There does, it is true, exist a large commercial middle class in the towns, but it is not an autonomous class capable of challenging the social power of the landowners." \*\*

It is clear that the independence of Arab countries, whatever their political institutions, is vitiated by the lack of economic and social freedom for the masses. The prospects of economic revival in the Middle East depend upon four agents: scientific agriculture, industrialisation, modern forms of social cooperation and capital funds to finance rapid and audacious development. Now these four conditions, which any objective critic would accept as the requisites of Middle Eastern prosperity, are precisely the characteristic contribution of Jewish effort to the Middle Eastern scene. The achievements of Jewish agriculture are freely conceded by the Arabs themselves. King Abdullah of Trans-Jordan describes his impressions as follows:-

"I was astonished at what I saw at the Jewish colonies when I travelled from Jenin to Lydda .... They have colonised the sand dunes, extracted their water, quickened them to life and transformed them into a paradise." \*\*\*

\* L'agriculture - Richesse Nationale. Fuad Saade, p.27 (Beyrouth 1942)

**\*\* Syria and Lebanon by A. Hourani.**

\*\*\* Mudhakkirati Abdullah B. Hussein, P.249.

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371 / 61903					

An English agricultural authority describes the Jewish agricultural achievement in enthusiastic terms. Sir John Russell writes:

"Regions that but a few years ago were barren sand dunes, bare hills or pestilential swamps, have been converted into fertile agricultural land dotted with pleasing villages, and where people can live in the faith of their fathers and the children grow up happily. The labour was arduous, but it was cheerfully, even joyfully undertaken and it was lightened by the generous help given by Jews all over the world. In consequence, the pioneer stage during which the colonists have to live precariously in shacks was greatly shortened, and entire settlements were built on a coherent plan, with permanent, comfortable homes for the people." \*

The development of Palestine industry disproves the theory that the Middle East might hope for no horizons of prosperity beyond those which its agriculture can attain. It is true that foreign competition and the local absence of raw materials may restrict the momentum of this development. But neither of these conditions rules out the possibility of Palestine becoming an industrial centre of the Middle East. The conditions of the country encourage, not the heavy industries which flourish in the densely populated industrialised countries of Europe; but rather those industries which depend mainly upon the skill, precision and technical advancement of their workers. The Royal Commission was not unduly disturbed by the absence of raw materials:

"The Jews indeed maintain that Palestine, though it is deficient in raw materials, has the advantage of easy access to the sea and is favorably placed for obtaining its requirements at a low cost. The Palestine Electric Corporation can supply the power, and the presence of the pipeline may be of advantage in the future; labour is intelligent and adaptable and of a higher standard than is usually to be found in the states emerging from an agricultural economy. Many of the German immigrants, in particular, are well skilled in different processes of manufacture and have been trained in a highly organised industrial state." \*\*

It is instructive to quote the example of Switzerland, a country with few raw materials, which has developed an enormously rich industrial equipment owing to the presence of abundant electric power and a hard-working, highly skilled and versatile industrial population. The same situation in Palestine can produce the same results.

The important factor is the availability of capital to finance industrial development, especially, in its early, not fully lucrative stages. The chairman of the Egyptian Industrialists' Association has declared: "The greatest difficulty in the development of Egyptian industry is the lack of the necessary capital and of experts." Palestine does not share this difficulty. The Royal Commission reported:

\* Foreword to Palestine, Land of Promise by Walter C. Lowdermilk

\*\* Palestine Royal Commission Report 1937, Chapter VIII, para 15, p.212

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**FO**

371 / 61903

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"But the most singular feature in the economy of Palestine is the vast amount of capital which has been invested in the country, for which no remittances abroad for interest and sinking fund are required. This feature sharply differentiates the Jewish National Home from other communities which have been created by a process of colonization and are burdened by charges on the capital obtained from overseas for their development. The dangerous position of Jews in Europe and the enthusiasm for settlement in Palestine have brought a plentiful supply of capital, which has been invested in the country." \*

The inescapable conclusion is that Jewish effort is not alien to the genuine interests of the Middle East since it illustrates the very process which the Middle East needs if it is to escape from squalor and decay. Arab society starts off with an eastern environment to which it endeavours to adapt western ideas; Jewish society starts off with western ideas which it must contrive to assimilate to an eastern environment. There is an objective historic harmony in this relationship, a basic affinity more profound than the transient political deadlock which obscures it. The fact is that the Arab world needs scientific agriculture, the development of industry by dint of human skill, the promotion of cooperative effort, the harnessing of applied research to all problems of health and development; no process along these lines is incompatible with its welfare.

#### SOCIAL AND CULTURAL EFFECTS OF JEWISH DEVELOPMENT.

The theory that Jewish effort in Palestine does violence to Arab rights is defended by its proponents in depth. The outer ring of argument is political in character. It proclaims that the Arab peoples' desire for sovereignty and influence in world affairs is frustrated by Zionist intrusion. When we contemplate the extent and multiplicity of Arab sovereignties in relation to the smallness and relative insignificance of Palestine, the outer line corrodes. The defenders then fall back upon their economic bulwarks - the theory that Zionism impoverishes and displaces the Arabs. Here too their ramparts are badly shaken; and the Royal Commission made a decisive breach when it recorded the beneficial effects of Jewish work upon Arab economic standards. It is then that the inner ring of resistance is reached. It is nothing less than the doctrine of conflicting temperaments and "mental cruelty", the doctrine of an irreconcilable gulf between Arab and Jewish ways of life. Granted that the Arabs have so much sovereignty that Palestine is not essential to give them a fair quota of national opportunity and a voice in world affairs; granted too, that the economic effects of Zionism are positive and stimulating - Jewish effort must still be resisted because it offends the traditional culture of the Middle East. It is hostile to the social climate. It does not fit. It dislocates and disturbs. It creates an alien organism which the Arab environment cannot tolerate or digest.

So runs the theme. This doctrine of social and cultural incompatibility is often the psychological fount of anti-Zionist disputation, while the economic and political objections are incidental aids. The advocates of the theory have a repertoire rich in the imagery of contrast; the camel and the motor car; the lethargic sheikh in flowing robes and the brisk, impatient European; the sandy desert and the ultra-modern town or communal village; the veiled Arab women and the sophisticated ladies of the Jewish zone. In short, a society immutable in its forms and standards, into which a stranger comes unwilling to assimilate himself to what he finds and unable by force of circumstances to leave it alone.

Even in so far as this analysis is true, it is not as conclusive as its upholders imagine. To justify the exclusion of the Jews on these grounds it would be necessary to prove that the existing social and cultural order is better than that produced by a Jewish impact. To evade this

\* Ibid. Para 16., p.212.

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371 / 61903

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issue is to deny the laws of change and the inevitability of progress. For the sheikh in the desert, the camel and the veil are not the truest symbols of the old way of life. They are the decorative crust of an uglier reality. Squalor, disease, corruption, exploitation, man crushed between the hammer of Nature and the anvil of his own institutions - these are the more realistic indications of the old-fashioned order. To some extent this structure must be disrupted if men arrive who see the conditions of life in different terms. Every movement of social reform has changed an old order and undermined an existing way of life. History does not invalidate such changes, since it applauds the results. Posterity, with these results before it, declares them to be "natural" and bears no retrospective rancor for those who brought them to pass. The Palestine transformation, too, need not be regarded solely in the light of present disharmonies and dislocations. Statesmanship must regard it sub specie aeternitatis and anticipate what history will pronounce.

But in any case this gulf between Arab and Jewish conceptions is merely temporary. For Westernism is not the bogey which overshadows the Arab future with fear and terror. It is the theme, the purpose and the inspiration of modern Arab life; it is the social and cultural horizon of Arab thought. The Arabs are in potentiality and desire what the Jews are in fact - citizens of a civilisation based upon European standards. If they do not as yet share the social and cultural values of the Jews, it is not because they reject them, but because they have not yet managed to attain them as quickly as many of them would wish. The motor car, European raiment, the modern factory, farm and hospital, the new freedom in human relationships may annoy those sentimentalists and devotees of the picturesque who wish to conserve the Middle East as a museum. But to progressive Arabs, especially to the youth among them, these symbols of the West are the tokens of equality and the key to liberation.

Modern Arab thought is dominated by a conflict between the outlook of the traditional East and that of the modern West. Professor Gibb describes this conflict as the overshadowing atmosphere of all Arab life. "For many decades the partisans of the old and new have engaged in a struggle for the soul of the Arabic world - a struggle in which the victory of one side over the other is even yet not assured." \* But the victory, though not yet won, belongs inexorably to the Western school. The balance is shifting from the desert to the town, from nomadism to urban stability, from religious dogma to intellectual adventure. The transformation will occur in any case. External influences can only expedite or retard it. Roads, aeroplanes, wars, education and Zionist development are random examples of a great medley of influences which decree that the process will be rather quicker than slower.

It is plain, then, that there exists no deep or permanent conflict between a Jewish ideal based upon the European West and an Arab ideal tied to the roots of ancient tradition. For the Arab outlook is converging towards the European concepts which the Jews represent. It is true that Arab spokesmen reject any Jewish aid in attaining their goal; but imitation is the sincerest form of flattery; and in every field of Arab life there is plenty of that. It might be said that an objective harmony is of little value if it is not subjectively felt, and that this estimate of a common element in Arab and Jewish outlooks does little to resolve the present deadlock. But it does prove that deadlock to be superficial and not profound; transient, not enduring. And being superficial and transient, it is likely to pass as soon as a political settlement is imposed which banishes from the Arab heart all hope that the Jewish foothold can be reduced and eliminated by intransigence and aggression. If men hold the ends of life in common, the eventual prospect of their harmony is sound, and it is retrograde to accept a doctrine of incompatibility preached for immediate political ends. A Jewish Palestine would not be an alien organism in the blood stream of Middle Eastern life. It would be a pioneer among newly moulded nationalisms, facilitating for the Arabs the process of Westernisation by setting that process visibly before their eyes. The Jews, who combine a traditional attachment to the East with a clear perception of the West, are endowed by history with all the attributes necessary to assist this adaptation.

\* Studies in Modern Arabic Literature. H.A.R. Gibb.

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371 / 61903

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### ZIONISM AND ARAB UNITY

The Arabs further complain that the establishment of a Jewish State in Palestine would automatically isolate that country from the unifying movements in the Middle East. That complaint implies the assumption that the Middle East can only be organized on the basis of ethnic homogeneity, and that no unit which is not Arab in character can have an independent or useful part to play. The Arab League represents an attempt to express the cultural unity of the Arab peoples in political and social terms. Yet the unity of the Arab peoples is not equivalent to the unity of the Middle East. For the Middle East is not entirely homogeneous in its social and economic life, or in its ethnic and historical background. History has created a pattern of diversity in the Middle East where many races and cultures have left their mark, and although the Arab element must of necessity have the widest area of political opportunity, it can claim no monopoly in the right of self-determination.

The Palestine issue is the most striking case in point. The Arabs can hardly see a prospect of stability so long as their relations with the Jewish community in Palestine are envisaged in terms of permanent conflict. Moreover, it is unlikely that the Jews in Palestine, having assembled there for the very purpose of establishing a distinctive national policy, will ever be content to become a mere collection of individual citizens under a predominantly Arab Government. Nor could such a Government exercise its functions effectively if so large a proportion of the population withheld allegiance from it and tried in every way to thwart it. The task of Arab statesmen, therefore, is not to find equitable conditions for 600,000 non-Arabs to live as citizens within their midst. The problem is to accommodate within the ethnic framework of the Middle East another national group which cannot live peacefully with its neighbors until an equal and independent political status is conferred upon it.

The problem of national diversity, though most acute in Palestine, is not confined to this single area. It is one of the most crucial dilemmas of the Middle Eastern problem as a whole.

After World War I, the diversity of the Middle East seems to have been accepted by those who planned the future of the area. It is true that large areas were liberated for the sovereignty and control of the Arabs. But provision was simultaneously made for a Jewish national society in Palestine. The idea of an independent Lebanon, as the citadel and bulwark of Christian civilisation in the Middle East, received strong support from both the French and British sources. The Armenian National Movement received powerful British patronage. The Treaty of Sevres in 1920, which proved abortive, provided for an independent Kurdistan, in which the Kurdish population now inhabiting Iraq, Turkey and Persia, might express their independent spirit and traditional culture in a separate state.

Had this vision of a diverse Middle East been in some measure retained, the prospects of stability would have been fairer than they are now. Instead, the Arab League is concerned to impose the domination of the Arab element upon the whole area. The League is wedded to the thesis that political power in the Orient must be wielded everywhere by Arab hands alone. To this end it strives to deny the distinctive character of the Jewish National Home, to obscure the special cultural mission of the Christian Lebanon, to maintain Arab hegemony over the Kurdish areas of Iraq, to swallow up the Sudan, and detach North Africa from its French connections. There is as yet no realisation that peace can be better served by the frank recognition of differences than by forcible assimilation to a single pattern. Yet the history of Europe should teach better than this. Wherever attempts have been made to subject distinct nationalities to the domination of a majority group, the result has not been promising. It will be disastrous if the slogans of Gleichschaltung were to be imposed on the Middle East, ignoring the many historic failures to impose a single dominant pattern upon the diverse nationalities of Europe. It is unreasonable to expect that non-Arab elements will surrender their individuality by a process of forcible assimilation.

There has been ample evidence in recent years that the non-Arab nationalities of the Middle East are eager to establish their right to a free and independent existence. The Kurdish National Party, Hoybun, has submitted a memorandum to the United Nations in which it claims national

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371 / 61903

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independence for Kurdistan and expresses sympathy with the idea of Jewish independence in Palestine.

During the investigation of the Anglo-American Committee of Inquiry in 1946, representatives for the Christian Lebanon gave similar testimony in this spirit. Msgr. Moubarak, Maronite Archbishop of Beirut, declared that a Jewish Palestine would be the most congenial neighbor of a Christian Lebanon.

These are the sincere sentiments of the ancient Maronite Church which has for centuries upheld the Christian tradition in Mount Lebanon. The Venerable patriarch of the Maronites, Msgr. Arida, has frequently given expression to the aspirations of Lebanese Christendom for a free existence independent of Muslim domination.

The need for giving full recognition to separate national groups applies to Palestine Jewry with special force. Most other non-Arab and non-Muslim communities in the Middle East have some strong link or connection with Arab social forms or culture. They share religion or language with the Arabs, or else they have the same pattern and standard of life. The Jews, however, are strongly differentiated in religion, culture, national aims, language and social outlook. It is therefore difficult to envisage their free development under any but a Jewish administration. It is doubtful whether any constitutional forms falling short of complete autonomy can be valid for Palestine Jewry, even if a compromise between subordination and autonomy is devised for other groups in the Middle East less sharply differentiated from their Arab environment.

The efforts of the Jews, therefore, to defend their national identity against the efforts of the Arab League to impose a homogeneous pattern on the whole area do not form an isolated tendency in Middle Eastern life. The issue is between the free cooperation of independent states and communities on the one hand, and the forcible suppression of all diversities on the other.

An exclusively Arab League, resting on a basis of cultural affinity and regarding national independence as the monopoly of the Arabs, cannot convert non-Arab communities into elements of harmony. A broader pattern is needed, embracing all the nations and communities of this area and according each its due measure of freedom. Statesmanship here must seek the composite unit of a mosaic and not the uniformity of a plan. In such a pattern a Jewish Palestine could play a vital part. It would collaborate with surrounding Arab States in regional institutions for the common welfare of the area as a whole. It would adapt its industrial and agricultural experience to the progressive needs of a reviving Orient. It would serve as an experimental station and a pilot plant for those processes which the Arab world must study and apply if its hope of revival is to be realised.

But to accomplish this the Jewish community in Palestine must stand on a footing of equality with the Arab countries which surround it. The need for Jewish statehood is reinforced by the political evolution of the Arab world itself. When the Mandate was ratified and the Jewish National Home placed under the tutelage of a Mandatory Power, the whole Middle East was in a dependent or semi-dependent condition. Protectorates and Mandates were the order of the day throughout the "Fertile Crescent" and Egypt. Today the pattern is far different. The whole Middle East is organised in separate sovereign states. In order to bring the Jewish community of Palestine into conformity with the general political atmosphere it is necessary that it too should emerge from tutelage to full independence. Once that end is secured, its interest, as well as its inclination, will bring it into close collaboration with its neighboring states. It could not with impunity ignore the interests of its neighbors; but neither could it be wantonly victimised as at present by a reactionary racial boycott against which it can offer neither resistance nor retaliation. To secure its friendship will become a major Arab interest, just as the present conflict is an Arab loss, diverting the attention of the Arab world from the constructive task to which it should address itself.

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371 / 61903

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It is indeed doubtful whether any prospect of Arab-Jewish cooperation exists until two conditions have been fulfilled; the one, equality, the other, finality. Cooperation is a process possible only between equals; and the Jewish community of Palestine can only collaborate fully with the Arab states when it has the same status as they. Once a Jewish State is established within adequate boundaries a sense of finality will have been achieved, and there will be no point in continued conflict. With friction thus removed, Jews and Arabs could settle down to mutual cooperation and to working out their own destinies in their respective states.

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ARAB REACTIONS TO A JEWISH STATE IN PALESTINE.

It should not be assumed that the Jews would be the sole beneficiaries if a Jewish State were finally and irrevocably established. The Arab world, too, would be relieved of a conflict which is uselessly absorbing its best energies and resources. It need not be feared that any major international disturbances would follow a recommendation of the U.N. to finalize the problem by conferring independence upon the Jewish people in its National Home. The Arab States are members of the U.N. Assembly and as such they are bound to accept its adjudication. They can hardly reconcile their membership in U.N. with readiness to take up arms against an international decision. Nor is it likely that they would sacrifice their own vital interests in such a hopeless and discreditable adventure. Moreover there are certain tangible advantages which certain Arab countries would derive - the free flow of commerce between the Jews of Palestine and the Arab world; the elimination of sources and opportunities for Great Power conflicts; the assertion of the Middle East's genuine diversity giving free play for the energies of all its nationalities - these prospects have crossed thoughtful Arab minds at many stages of this story and with greater encouragement might have yielded hopeful prospects.

The Arabs and the Jews are in conflict about the political status of the National Home. Once this issue is settled no other is insoluble: but as long as uncertainty persists Arab-Jewish tension will prevail. The Arabs will endeavour to keep the National Home in subordination, while the Jews will exert every effort to develop its independence. Thus the Arab-Jewish relationship will prosper best when finality is achieved in defining the status of Palestine Jewry. And it is significant that the most promising omen of Arab-Jewish accord appeared in 1918-1920 when all parties, including the Arabs, believed that an independent Jewish homeland was finally and definitely authorized by the highest international tribunal. The Mandatory system and all federal or bi-national solutions which leave the status of the Jewish National Home undefined create a climate of Arab-Jewish discord in which two contrary pressures converge - the one striving to diminish, the other to expand the stature of the National Home. Jewish statehood, examined here on many other grounds, draws one of its main justifications from its potentially and lastingly pacifying effect on Arab-Jewish relations.

SOME PROPOSED SOLUTIONS IN THE LIGHT OF  
ARAB-JEWISH RELATIONSHIPS

Arab-Jewish friendship must be the aim of any progressive settlement in Palestine. But not all who accept this principle agree on the most effective method of realising it. In recent years the advocates of Jewish statehood as the prelude to an Arab-Jewish settlement in the Middle East have had to contend with two rival solutions - bi-nationalism and cantonal or federal delimitation. Both these solutions are discussed elsewhere in their general context; but they have certain deficiencies in their effect on Arab-Jewish relations which deserve examination here.

(1) They do not establish a pattern of independence. In a bi-national state based on parity the crucial issue of immigration would create a deadlock which could only be resolved by external adjudication. In all federal solutions so far propounded a third party in addition to the Jews and Arabs appears at the centre of Government, armed with powers of mediation or veto. Yet it is not far-fetched to state that the very presence of a third party makes for Arab-Jewish discord. Both parties depend for their vital needs on an external agent, instead of depending on each other. Moreover, a system of tutelage no longer befits the mature character of the population.

(2) They do not fulfil the vital condition of equality - in that the Jewish community of Palestine would still be deprived of the status and powers enjoyed by Arab States and would thus be in a poor position to enter into co-operation in a spirit of full reciprocity.

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(3) They do not fulfil the no less vital condition of finality. The Royal Commission aptly ascribes this defect to the principle of cantonisation.

"Cantonisation does not settle the question of national self-government. Cantonal autonomy would not satisfy for a moment the demands of Arab nationalism... Nor would it give the Jews the full freedom they desire to build up their National Home in their own way at their own pace, nor offer them the prospect of realising on a small territorial scale all that Zionism means. And in the background still clouding and disturbing the situation from year to year, still intensifying the antagonism between the two races would remain the old uncertainty as to the future destiny of Palestine..."

The same uncertainty would vitiate the relations of Jews and Arabs in a bi-national parity state. A Government composed of two partners one of whom aspires to develop the Jewish National Home and the other to cripple, or, at the best, to restrict it, would soon find itself in a hopeless deadlock, and the question of the country's future would be reopened once more. On the other hand once the Jewish State was established in internationally guaranteed frontiers this fatal uncertainty would be dispelled.

#### THE LIMITS OF COOPERATION

Despite their long record of political disagreement, the Arabs and Jews of Palestine have many points of contact in their daily life; and for the most part these contacts are established without tension. In municipal councils, in Government Committees, in joint places of employment, in labour disputes, in village-settlement relations, in citrus interests there have been many examples of harmonious collaboration. Initiative for joint action has been forthcoming from both the Jewish and the Arab side. The teaching of Arabic and Muslim history is widespread in Jewish schools; Jewish rural communities are trained for informed and harmonious relations with their Arab neighbours; and in all its main centres of political activity the Jewish Agency has established branches for the study of Middle Eastern affairs in order that Zionist policies should not be formulated or conceived in ignorance or disregard of Arab interests.

Yet it is illusory to expect that these economic, social and cultural contacts will of themselves overcome the political conflict between Arab and Jewish nationalism. National sentiment cannot be side-tracked. Only when it is in some measure satisfied can the potential forces of economic and social cooperation be released. The only spheres in which Arab-Jewish co-operation can succeed today are those from which are excluded the two main issues of the Palestine problem - Jewish immigration and the political future of the National Home. Once the Haifa Municipality, or the Citrus Board, or harbour workers, or the people of a Jewish and Arab village became involved in a discussion of these two issues, the harmony would collapse. The existing manifestations of Arab-Jewish harmony - welcome as they are - are no augury for the success of a bi-national Government whose members would have to agree on immigration policy and on the objects of the State. In such a situation also the differences in the structure, social outlook and cultural ideals of the two communities would tighten the deadlock.

Superficially it might appear that these very differences would prejudice the stability of a Jewish State with a considerable Arab minority. Yet this analogy overlooks the most crucial fact. In a Jewish State immigration policy and constitutional policy would have been decided in advance and embodied in the very purpose of the State. They would no longer be outstanding as issues of conflict between its inhabitants; and once these issues were decided - with the full weight of international authority behind the decision - the relations between Jews and Arabs would depend on matters of economic progress and social welfare in which a mutual interest would quickly be perceived. Moreover, in a Jewish State a unified programme of scientific agriculture, irrigation and industrial progress would speedily equalise the standards of the whole population. In a Mandatory or bi-national state where two conceptions and two tempos of social and economic movement exist side by side the disparity lingers and may widen from year to year.

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Reference:-

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371 / 61903

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The Jews wish to be citizens and not intruders in the Middle East; they will be the allies but not the subjects of the Arab world. Their right of return is sanctioned by history, by international law and by dire need. Yet these rights do not of themselves absolve the Jews from the duty to contribute as best they can to the development and welfare of the region in which they come to live.

The nationalities of the Middle East must cooperate willingly as equals, each secure in its own sphere of national freedom and cooperating with others for the welfare of the region as a whole.

The misery, disease and squalor of the Middle East need not remain a characteristic feature of its social landscape. By scientific agriculture, by industrial enterprise, by higher standards of social organization, by the introduction of new sources of wealth and the exploitation of the old, the area once again would become the scene of a prosperous and varied civilization. "The splendor of the past can scarcely be believed because of the squalor of the present", wrote a celebrated Orientalist as he journeyed through the East, following the traces of once prosperous civilizations. To assist the area to return towards its rightful social dignity is one of the proudest destinies that the Jews of Palestine can fulfil. The United Nations can legitimately require the Arab world to envisage its relationship with the Jews in terms of potential harmony. By a determined assertion of international authority the Arab world can be confronted with the Jews as equal partners in the tasks of regeneration to which the Middle East is called.

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371 / 61903



## EDGES OF THE ARABS

The "pledges" relied upon by Arab spokesmen are principally (1) The McMahon Hussein correspondence in 1915, and latterly, (2) The Hogarth message of 1918. Neither of these was a public pronouncement, nor was either an international commitment. At best, even if they had meant what the Arabs claim, they would be secret British pledges to Hussein, Sherif of Mecca, possessing no international validity.

(1) The alleged pledgor, the British Government, has made it clear in repeated pronouncements that the McMahon correspondence was not intended to include Palestine in the promised area of Arab independence. In 1939 the Lord High Chancellor of England (Lord Maugham), spokesman of the British representatives on a British-Arab committee to consider the McMahon correspondence concluded:

(2) Sir Henry McMahon has personally stated that there was no intention on his part to include Palestine, and that his correspondence could not reasonably be so construed. Sir Henry wrote in a letter to The Times of London on July 23, 1937:-

"I feel it my duty to state, and I do so definitely and emphatically, that it was not intended by me in giving this pledge to King Hussein to include Palestine in the area in which Arab independence was promised.

I also had every reason to believe at the time that the fact that Palestine was not included in my pledge was well understood by King Hussein".

(3) The Emir Feisal, the representative of Sherif Hussein, at the Peace Conference in 1919, made no such claim. Both he and his adviser, Col. Lawrence, knew of the McMahon correspondence, and understood that Palestine stood in a separate category.

(4) The 1922 White Paper stated that the correspondence was not intended to include Palestine.

(5) British representatives concerned with the Hussein-McMahon correspondence have supported Sir Henry McMahon's view. They include Sir Gilbert Clayton, Mr. Ormsby-Gore and Col. C. E. Vickery.

In 1933 Sir Gilbert Clayton wrote:

"I was daily in touch with Sir Henry McMahon throughout the negotiations with King Hussein, and made the preliminary draft of all the letters. I can bear out the statement that it was never the intention that Palestine should be included in the general pledge given to the Sherif."

Mr. Ormsby-Gore stated in the House of Commons on July 21, 1937:

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371 / 61903					

"I served in 1916 in the Arab Bureau in Cairo on Sir Henry McMahon's staff, and I wish myself to testify to the fact that it was never in the minds of anyone on that staff that Palestine west of the Jordan was in the area within which the British Government then undertook to further the cause of Arab independence."

Col. Vickery who was sent on official mission to examine the McMahon correspondence in 1920, in a letter to The Times on February 21, 1939 stated:

"I read the letter through carefully ... and it was quite evident that Palestine was not included in the proposals to the King."

(6) If the McMahon correspondence is to be viewed as consideration for war activities to be undertaken by the Arabs, the Palestine Arabs certainly had no part in such activity. In World War I, the Palestine Arabs, when they fought at all, fought on the side of Turkey, as Mr. Lloyd George himself testified (War Memoirs of David Lloyd George).

As to the Hogarth Message of 1918, this message was not unearthed by the British Government until twenty years after its delivery. Up to then it had never been mentioned in support of Arab claims. As has been noted, it does not even appear in the protests of the Arab delegation which are reproduced in the 1922 White Paper. Whenever Mr. Malcolm Macdonald attempted to introduce the Hogarth message into a discussion of the 1939 White Paper at the 36th Session of the Permanent Mandates Commission in June, 1939, the Commission refused to consider it on the ground that it had not previously been brought to the attention of the League of Nations. Mr. Macdonald consequently withdrew his reference.

The slender weight which the British Government ascribed to the Hogarth Message was reflected by Sir Thomas Inskip, speaking for the Government in the House of Commons on May 23, 1939 when he observed, "It is not of sufficient importance for my Rt. Hon. Friend and myself to spend much time on it."

The Balfour Declaration was framed by the British Government with the pledges to Hussein in mind. Mr. Ormsby-Gore, Secretary of State for the Colonies, declared in the House of Commons on July 21, 1937:

"It was not only Sir Mark Sykes but others who brought to the attention of the Government the fact that undertakings of a general character had been given to the Arabs, and the McMahon correspondence was fully in the mind of His Majesty's and the Allied Governments when the Balfour Declaration was made."

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371 / 61903

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145

# THE PALESTINE ISSUE

PRELIMINARY MEMORANDUM  
SUBMITTED TO THE SPECIAL COMMITTEE  
OF THE  
UNITED NATIONS

BY  
THE JEWISH AGENCY FOR PALESTINE  
1947

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371 / 61903

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## INTRODUCTION

1. The Jewish Agency for Palestine awaits the discussion of the problem of Palestine by the United Nations with high confidence in the justice of its cause. It feels that in any parliament of mankind, dedicated to the principles of justice, it will not fail. For it comes to the bar of world opinion with a clear case in international law and with an unimpeachable claim in international morality. It comes as no new supplicant. The justice of its cause has been sustained in explicit international obligations solemnly undertaken. That cause is now sanctified by the blood of the millions of Jews who were slaughtered in Europe in the tragic years of the last decade. It has been strengthened by the toil and sacrifice of those who came to Palestine on the faith of a promise and who made of the desert a land of fulfillment and hope.

2. The Jewish Agency for Palestine refuses to accept the cynical approach to international morality. It feels that men and women everywhere have an abiding faith in enduring justice. It shares with the delegates to the United Nations their hope for a better world. In that world, the Jews have a right to survive as free men in a land pledged to the Jewish people. The Jewish Agency believes that the United Nations is more than a symbol of good will. It believes that the United Nations is custodian of the conscience of mankind. It believes that the United Nations can become a forum, free from imperial considerations, free from the politics of power and free from diplomatic expediency. It is to such a forum that the Jewish Agency for Palestine hopes to submit its case. The Jewish Agency rejects the barter of

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371 / 61903



secret diplomacy and invokes the binding force of public covenants openly undertaken.

3. Palestine today is governed by Great Britain as the Mandatory Power, under a "modification" of the Mandate known as the White Paper of 1939, with the severest restrictions on Jewish immigration and settlement. That White Paper we repudiated because it was a change of the Mandate by a unilateral action of the Mandatory Power which destroyed the basic purpose in the Mandate itself. We submitted our case to the League of Nations in 1939. The Permanent Mandates Commission of the League of Nations was unanimously of opinion that the White Paper was not in accordance with the interpretation which, in agreement with the Mandatory Power and the Council of the League of Nations, it had always placed upon the Mandate. Furthermore, by a majority of those present, the Commission declared the White Paper of 1939 inconsistent with the Mandate, "any contrary conclusion appearing to them to be ruled out by the very terms of the Mandate, and by the fundamental intentions of its authors." The World War came, international machinery was paralyzed and both the Council of the League and the Permanent Mandates Commission ceased to function. The last word from any international authority was thus that the White Paper of 1939 was illegal. This is the record as we come to the United Nations—a record of continuing illegality.

4. Since that time, events have proved the disastrous folly of that era of British policy when appeasement passed for wise caution. The action of the Mandatory Power in 1939, at the very threshold of war, in closing Palestine to the Jews of Europe, doomed to death untold numbers of men, women and children. Today, the remnants of the survivors of the gas chambers are still living victims of the Nazi terror—despairing and with only one desire—to settle in Palestine. We believe that the conscience

of mankind owes them that choice. They look to the nations of the world to quicken that conscience into decision.

The inmates of the "displaced persons" camps in Germany, Austria and Italy, of the internment camps in Cyprus, homeless Jews elsewhere, are but men and women seeking justice—claiming the right to live. From behind the barbed wire of their cantonments, from all the corners of their precarious sojourn, they ask for speedy rescue. The Assembly meets under the shadow of this critical urgency.

In the pages which follow we shall sketch briefly the background of the problem. Neither a formal memorandum nor a complete statement of the case is intended. Our purpose is preliminary and aims at the presentation of salient facts.

## I.

### LEGAL ORIGINS

5. These are the fundamental considerations: The present international status of Palestine is derived from the consent of the nations embodied in solemn international compacts. The authority of the Mandatory Power is based on the consent of other powers. Nor is it sovereign over Palestine. Its right to govern proceeds from its status as an international trustee or Mandatory. That status is one of limited and delegated powers. The confirmation of its right to govern, the purposes for which it may exercise that right, and the limitation on its powers stem from the Mandate and other international documents. Great Britain accepted the obligations explicit in these international instruments when it accepted the Mandate.

6. The major documents establishing the status of Palestine include the Balfour Declaration of 1917 (British), the Resolution

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371 / 61903					

of the Conference of the Principal Allied Powers in San Remo in 1920, the League of Nations Mandate of 1922, and the American-British Palestine Convention of 1924. All of these international compacts are valid and subsisting obligations.

#### THE BALFOUR DECLARATION

7. On the 2nd day of November, 1917, the British Government issued the Balfour Declaration by which it pledged itself to use its best endeavors to facilitate "the establishment in Palestine of a national home for the Jewish people." The Declaration was endorsed by the French and Italian Governments and by the President of the United States. It was an international pledge. It marked the prime condition under which His Majesty's Government would undertake to exercise governmental rights over Palestine. As Mr. Winston Churchill said in 1939:

"It was in consequence of and on the basis of this pledge that we received important help in the war, and that after the war we received from the Allies and Associated Powers the mandate for Palestine."

The Balfour Declaration was, as clearly appears from its terms, a pledge to the Jewish people. The fact admits no equivocation. In a Colonial Office letter to the Palestine Arab Delegation embodied in the Palestine White Paper of 1922, the Balfour Declaration is described as "a pledge made by the British Government to the Jewish people". The letter addressed by the Prime Minister to Dr. Weizmann on February 13, 1931, recognized "that the undertaking in the Mandate is an undertaking to the Jewish people and not only to the Jewish people of Palestine". The matter was clearly put by Mr. Churchill in the debate on the Palestine White Paper of 1939:

"This pledge (of the Balfour Declaration) of a home,

of refuge, of an asylum, was not made to the Jews in Palestine, but to the Jews outside of Palestine, to that vast, unhappy mass of scattered, persecuted, wandering Jews whose intense, unchanging, unconquerable desire has been for a National Home."

In asking the redemption of that pledge, the Jewish Agency for Palestine speaks for Jews everywhere; it speaks for those who are homeless; and not least for the men and women in the displaced persons' camps of Europe and for the unhappy "illegal" immigrant who finds himself behind the barbed wire of Cyprus.

#### THE MANDATE

8. On the 25th April, 1920, the Supreme Council of the Allied and Associated Powers, at its meeting at San Remo, allotted the Mandate for Palestine to Great Britain with the express proviso that it was to be responsible for giving effect to the Balfour Declaration. In the Palestine Mandate, approved by the Council of the League of Nations on the 24th July, 1922, the Balfour Declaration was recited in full in the Preamble, which added that "recognition has thereby been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country." The British Government was made responsible "for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish National Home" and, with this end in view, was enjoined to "facilitate Jewish immigration" and "encourage . . . close settlement by Jews on the land." The Mandate had previously been submitted to the United States Government, and on June 30th, 1922, a joint resolution in support of the policy was adopted by Congress. By the American-British Convention of December 3rd, 1924, the United States ad-

1	2	3	4	5	6
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FO					
371 / 61903					

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hered to the Mandate, which was not to be modified without its consent.

The policy of the Balfour Declaration was thus ratified by the fifty-one Member States of the League of Nations and by the United States. The Balfour Declaration, originally a definition of British policy, had evolved into what Mr. Churchill, then Secretary of State for the Colonies, described in the House of Commons on March 9th, 1922, as "a great world-wide pledge" which formed the basic condition upon which His Majesty's Government was entrusted with the Mandate for Palestine. Speaking in the House of Lords on June 27th, 1923, the Colonial Secretary, the Duke of Devonshire, stated:

"The Mandate is not merely a national obligation; it is an international obligation, and the Balfour Declaration was the basis on which we accepted from the Principal Allied Powers the position of mandatory power in Palestine."

In a dispatch dated October 4th, 1923, after quoting the Balfour Declaration, the Colonial Secretary went on to say:

"It (the Declaration) formed an essential part of the conditions on which Great Britain accepted the Mandate for Palestine, and thus constituted an international obligation from which there can be no question of receding." (Cmd. 1989 (1923), p. 3, para. 2.)

Two years later, at the seventh session of the Permanent Mandates Commission, the accredited British Representative said:

"The Commission should remember that it was, after all, the Balfour Declaration which was the reason why the British Government was now administering Palestine."

The Balfour Declaration was conceived by its authors as an act of historic reparation. It was described in the Preamble to the Mandate as having given recognition to the historical connection of the Jewish people with Palestine. That attachment, with the

152  
cumulative weight of history behind it, has never been more alive than it is today.

9. The Mandate, in its ultimate purpose, as understood by those who framed it, aimed at the re-establishment of the Jewish Commonwealth.

"It is obvious", wrote the Royal Commission,\* "that His Majesty's Government could not commit itself to the establishment of a Jewish State. It could only undertake to facilitate the growth of a Home. It would depend mainly on the zeal and enterprise of the Jews whether the Home would grow big enough to become a State. Mr. Lloyd George, who was Prime Minister at the time, informed us in evidence that:

"The idea was, and this was the interpretation put upon it at the time, that a Jewish State was not to be set up immediately by the Peace Treaty without reference to the wishes of the majority of the inhabitants. On the other hand, it was contemplated that when the time arrived for according representative institutions to Palestine, if the Jews had meanwhile responded to the opportunity afforded them by the idea of a national home and had become a definite majority of the inhabitants, then Palestine would thus become a Jewish commonwealth."

"Thus His Majesty's Government evidently realized", the Royal Commission continued, "that a Jewish State might in course of time be established, but it was not in a position to say that this would happen, still less to bring it about of its own motion. The Zionist leaders, for their part, recognized that an ultimate Jewish State was not precluded by the terms of the Declaration, and so it was understood elsewhere. 'I am persuaded', said President Wilson on the 3rd of March, 1919, 'that the Allied Nations, with the fullest concurrence of our own Gov-

\* Palestine Royal Commission Report, July 1937, p. 24.

1	2	3	4	5	6
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Reference:-					
FO					
371 / 61903					

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ernment and people, are agreed that in Palestine shall be laid the foundations of a Jewish Commonwealth'. General Smuts, who had been a member of the Imperial War Cabinet when the Declaration was published, speaking at Johannesburg on the 3rd November, 1919, foretold an increasing stream of Jewish immigration into Palestine and 'in generations to come a great Jewish State rising there once more'. Lord Robert Cecil in 1917, Sir Herbert Samuel in 1919, and Mr. Winston Churchill in 1920 spoke or wrote in terms that could only mean that they contemplated the eventual establishment of a Jewish State. Leading British newspapers were equally explicit in their comments on the Declaration."

10. We emphasize the words of the Royal Commission that "it would depend mainly on the zeal and enterprise of the Jews whether the Home would grow big enough to become a State". It is a challenge we accepted. We shall present below in summary form what the "zeal and enterprise of the Jews" *has* achieved in Palestine (infra, pp. 16-19). We shall show how that "zeal and enterprise" commended to us by the Mandatory have been thwarted and burdened. We shall demonstrate how the rules have been changed in the midst of the test with the avowed purpose of making our task impossible.

11. The main purpose of the Mandate cannot be in doubt. We have already noted the admissions of British spokesmen that His Majesty's Government would have had no authority to remain in Palestine except for the Balfour Declaration—"the establishment in Palestine of a national home for the Jewish people". We have seen from contemporaneous interpretations of the Mandate that the eventuality to be desired was the establishment of a Jewish Commonwealth. Turning to the language of the Mandate itself, it seems clear, without gloss or commentary, that its primary aim was to make the British Government re-

sponsible "for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish National Home".

The means for effecting this end were clearly stated by the League of Nations in Article 6 of the Mandate: By this article the Mandatory is required to "facilitate Jewish immigration" and "encourage . . . close settlement by Jews on the land".

12. In addition to these creative injunctions, the Mandate contains a number of protective clauses designed to safeguard existing rights and interests (Arts. 2, 9, 15, 16, 23). These guarantee to all inhabitants of Palestine full civil and religious rights, respect for the personal status of the various peoples and communities, recognition of their holy days as legal days of rest and the safeguarding of the right of each community to maintain its own schools in its own language. Furthermore, in facilitating Jewish immigration and encouraging land settlement, the Mandatory is to ensure that the rights and position of other sections of the population are not prejudiced. It is these safeguarding clauses which gave rise to the erroneous conception that the Mandatory is under a dual obligation both parts of which are of equal weight, and that the qualifying provisions neutralize the positive ones. "Merely to sit still", wrote Mr. Churchill, "and avoid friction with Arabs and safeguard their civil and religious rights and to abandon the positive exertion for the establishment of the Jewish National Home would not be a faithful interpretation of the Mandate".\* An American interpreter of the Mandate expresses the same view.

"In the course of time", he writes, "it was claimed that the Mandate placed upon Great Britain an equal obligation to the Arabs and to the Zionists. . . . It required, however,

\* Quoted in "The Jewish National Home", edited by P. Goodman, London, 1943, p. 66.

155

1	2	3	4	5	6
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**FO**

371 / 61903



a transposition of the terminology of the Mandate by the transfer of secondary and subordinate clauses into primary positions to give real duality to the instrument. The plain sense of the document was inescapable. It sought to foster the establishment of a Jewish national home, while safeguarding, so far as might be compatible with that purpose, the rights and well-being of the non-Jewish population."\*\*

The verdict of the Royal Commission on the point is explicit: "unquestionably", it wrote, "the primary purpose of the Mandate, as expressed in its preamble and its articles, is to promote the establishment of the Jewish National Home". (Report, p. 39).

## II.

### THE FRAMEWORK OF U. N. ACTION

13. It may be taken for granted that any consideration of the Palestine issue by the General Assembly of the United Nations and by any committee that may be appointed by it, in order to remain true to the spirit of the Charter, will have to proceed on the basis of the valid body of international law applicable in the matter.

14. The international status of Palestine and, more particularly, British authority with regard to Palestine, are based on a series of binding international documents already referred to. These documents are still in force, and their observance remains a major and governing consideration for the United Nations, the Preamble to whose Charter defines, as one of the ends of the organization,

"to establish conditions under which justice and respect for

\*\* P. L. Hanna: "British Policy in Palestine", published by the American Council on Public Affairs, 1942, Washington, D. C.

the obligations arising from treaties and other sources of international law can be maintained . . ."

15. More specifically, this general principle of respect for valid international treaty obligations is expressly confirmed with respect to territories under mandate, dealt with in Chapter XII and particularly in Articles 77 and 80 of the Charter. Article 80 (1) reads in part as follows:

"Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79 and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, *nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.*"

16. Article 80 of the Charter thus safeguards the rights established by existing international instruments, of "peoples" as well as of states. The Palestine Mandate of the League of Nations as one of these international instruments acknowledges the existence of the Jewish people and defines its rights in regard to Palestine. Since no trusteeship agreement for Palestine, under the procedure defined in Chapter XII of the Charter, has been either submitted or concluded, any study of the Palestine issue by the United Nations and any recommendations made by this body concerning the future government of Palestine must necessarily be based on the continuing validity of the Mandate as well as of the other documents mentioned above and must seek to carry them out to their fullest intent.

17. The claim has been asserted that promises were made to the Arabs said to be inconsistent with promises to the Jews. These are primarily (1) the McMahon-Hussein correspondence in 1915, and (2) the so-called Hogarth Message in 1918.

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371 / 61903					

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The answers to this claim are clear. First, Sir Henry McMahon himself has authoritatively declared that his statements to the Arab leader excluded, and were understood to exclude, Palestine. Second, no protest was lodged against the Balfour Declaration by King Hussein or his son, the Emir Feisal, who was the principal Arab representative at the Peace Conference at Versailles. Indeed, as will be indicated further below, the Emir Feisal, in his Agreement with Dr. Weizmann, of March 4, 1919, and in his letter to Professor Felix Frankfurter, of March 3, 1919, expressed full concurrence in the policy of the Balfour Declaration. Third, neither set of statements, regardless of scope or intention, were either public or binding upon the nations which gave Britain the Mandate. The existence of the Hogarth Message was announced for the first time in 1939, thus making it obviously irrelevant as regards the meaning to be attached to the solemn and public covenant of the Mandate. Its wording further was altogether equivocal in so far as concerns guarantees to the Arabs of permanent political supremacy in Palestine. Fourth, the settlement with the Arab peoples after World War I was a generous one. The Arabs were assured of independence in more than one million square miles—an assurance since fulfilled.

The inescapable fact remains that the Mandate became, in 1922, the determining international instrument with reference to the status of Palestine.

### III.

#### JEWISH RIGHTS TO PALESTINE

18. We have seen that the decision to give to the Jewish people an opportunity to establish a Jewish Commonwealth was made during and after World War I. That decision was based on a

serious consideration of the history and position of the Jewish people. Their story, since the Dispersion, has been a story of expulsions, wanderings, restrictions and persecutions. The fundamental problem has always been security and the right to live free from the recurring waves of hatred and prejudice. For those Jews who wished to find personal security and a new way of life, for the Jewish people as a whole, striving to liberate itself from the scourge of homelessness, a land in which the elementary right of self-government would be granted was an essential. That land, by historical association and continued attachment through the centuries, is Palestine. The reasons for the decision are even more cogent today when the world has so recently seen the physical destruction of millions of Jews in a century that began with such high hopes for democracy, freedom and tolerance.

19. The destruction of Jewish statehood by the Roman Empire and the physical dispersion of Jews in the world never succeeded in weakening the awareness, whether among Jews or non-Jews, of the continuing existence of a distinct Jewish people, nor of Palestine as the historic home of that people. Held together by religious and ethnical bonds, the Jewish people never gave up its claim to Palestine nor its hope of the reconstitution there of a Jewish State. The re-establishment of Palestine as a Jewish State held a central place in Jewish prayers, and several times in the last eighteen hundred years there occurred serious movements aiming at a return of Jews to Zion.

20. Modern Zionism translated this enduring attachment into an organized political movement directed to practical achievement. The pent-up energies of centuries of exile found a creative outlet. Yet historical attachment alone could not have produced the present effort. Its compelling reason was the untenable posi-

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FO					
371 / 61903					



tion of the Jews in the dispersion. It was the danger of national and physical extinction which gave birth to the new Judaea.

21. What made this national aspiration particularly important was that the fate of the Jewish people in the dispersion was, on the whole, a very unhappy one. Their religious non-conformity, their homelessness as a nation and their ubiquitous minority status rendered them ever-ready targets of incitement and victims of oppression.

22. The aftermath of the second World War finds the Jews of Europe not only economically and in many cases physically uprooted, but also morally shattered by their experiences. The countries overrun by Hitler are to them gigantic graveyards, where most of their families were driven to a dreadful death. Even now that the war is over, the survivors find themselves faced by sullen hostility and by stubborn opposition to their re-integration into the economic and political life of many of the local communities. Moreover, the years of Hitler propaganda coupled with the difficulties of post-war economic readjustment strengthened anti-Jewish tendencies even in countries of Western Europe where little anti-Semitism existed before the war. In Moslem countries, too, a combination of Hitler propaganda with the increased chauvinism of the local populations resulted in the further deterioration of the condition of the Jewish communities.

23. As a result of these developments, increasing numbers of Jews in various countries, and especially in Eastern and Central Europe and in the Moslem States, have lost all sense of security and long above all to settle in the Jewish Homeland.

24. The decision, taken at the end of the first World War, to set aside Palestine as the territory of the Jewish National Home was made at a time when the tragic implications of the homelessness of the Jewish people and of the vulnerability of individual Jews were neither as obvious nor as generally understood as they

are today. Nevertheless, far-sighted statesmen of that period considered it necessary to remedy this condition. To this end, they proclaimed the right of the Jews as a people to enter and develop Palestine and agreed upon a regime that would facilitate and further this development. The events of the last decade have strongly reinforced the wisdom of this decision and made its effectuation more urgent than ever. Indeed, the essential vulnerability of Jews in a world where group animosities and especially anti-Semitism can be so easily aroused, has been demonstrated with tragic results. Therefore, there is every reason why this decision which has become a matter of general international law should be reaffirmed and made into a reality.

25. The passage of time has dissipated any doubts which may have existed in 1917-1922 concerning the economic feasibility of large-scale Jewish development of Palestine. Searching studies by competent authorities have proved since that time that Palestine can absorb several more millions of people and that this process, far from lowering the economic standards of the existing population, would actually raise them. This has also been proved in practice by the fact that, despite the hostile attitude of the Mandatory Power which closed to the Jews the greatest part of the original territory under the Palestine Mandate and put difficulties in the way of the Jews settling in the rest of the country, 600,000 Jews have been added to Palestine's population since 1918 with economic benefit to everybody. Irrigation and modern farming methods greatly increased the agricultural possibilities of the country, and Palestine showed itself capable of supporting modern industry and trade, thus progressively augmenting the country's absorptive capacity.

26. The major achievements were in agricultural and mixed farming on the one hand, and in industrial growth on the other. Exports from the Jewish citrus groves in the last pre-war season

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Reference:-					
FO					
371 / 61903					

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amounted to 10,000,000 cases or 65 % of the total. Jews pioneered in the cooperative organization of the orange growers and the discovery of new markets. The rapid extension of mixed farming covered the creation of modern dairying and poultry-keeping, introduction of new crops and fruit-trees and of a scientific crop-rotation, and a progressive system of sheep-raising and bee-keeping. Whereas citriculture was developed mainly by middle class settlers on privately-owned land, mixed farming was carried on by cooperative settlements on nationally owned soil. Nearly 550,000 dunams\* were involved in drainage works in various parts of the country. The quest for water has opened up undreamed-of possibilities of irrigation. The area of irrigated Jewish land increased from 12,000 dunams in 1922 to 260,000 in 1944. The typical farm unit is becoming one of 25 dunams of extensively cultivated land, instead of the former unit of 250 dunams under cereals. Large afforestation schemes have been carried out, particularly in the hill areas.

In no field has Jewish enterprise been more marked than in that of industry. Important landmarks were harnessing in 1927 of the Jordan and Yarmuk by the Palestine Electric Corporation and the commencement in 1930 of the Palestine Potash Company's work on the Dead Sea. The growth of Jewish industry is reflected in the following table:

YEAR	NUMBER OF ESTABLISHMENTS	PERSONS EMPLOYED
1926	583	nearly 6,000
1937	1,556	22,000
1944	over 2,000	45,000

Among Palestine's industrial products are textiles, leather goods, machinery, glass, cement, foodstuffs, chemicals, polished diamonds, pharmaceuticals, artificial teeth, cosmetics and a great variety of other articles.

\* 1 acre equals 4 dunams.

27. All this was accomplished in a tiny sector of Palestine and almost entirely on land bought from private owners at excessive prices. One can easily imagine how much larger the opportunities would have been had the Government abided by the provision of Article 6 of the Mandate to the effect that it "shall encourage, in cooperation with the Jewish Agency . . . close settlement by Jews on the land, including State lands and waste lands not required for public purposes" and had it not, in 1940, enacted regulations limiting the unrestricted freedom of Jewish land purchase to 5 % of Palestine.

28. Organized labor holds an influential position in the economic and political life of the country. There is no sphere of Jewish activity on which it has not left its mark. Its contribution has been particularly impressive in agriculture, where it has evolved new forms of cooperative effort. Side by side with the growth of a large trade-union movement which today runs building and transport companies, supply and marketing organizations, factories and workshops and a country-wide health insurance society, private enterprise has played a vigorous and constructive part in every branch of the country's economic development.

In general, the new Yishuv (Jewish settlement in Palestine) represents a reversal of the Jewish social pyramid in the Diaspora. In Palestine, Jews are not concentrated in a limited number of trades and professions. Theirs is the economy of a normal society ranging from the roughest kinds of manual labor to the highest professional and managerial positions. The economic and social forms which the Yishuv has evolved are such as to offer a healthy climate for the development and adaptation of vigorous democratic institutions.

29. The Jews have in reality augmented the territory of Palestine. They have not extended its area in square miles, but they have so increased its productivity that they may be said

157

1	2	3	4	5	6
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Reference:-

**FO**

371 / 61903

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to have enlarged the land itself. The true test of area is ability to sustain population. The Jews have increased that capacity by their own "zeal and enterprise" as surely as if they had added to the land new provinces.

This growth in productive capacity has benefited the entire population, Jew and Arab alike. The new spirit of modern enterprise which has been introduced has been a determining factor in raising the national income and standard of living. Intensive farming has expanded the soil available. Waste lands have been reclaimed by drainage and irrigation. The activity of the Jews in Palestine is an outstanding example of what pioneering zeal, modern methods and the scientific attitude can do for backward and undeveloped areas. In this sense, Palestine is a microcosm that points up the possibilities of the new era. We reject and we believe that mankind will reject the thesis that an experiment so conceived shall be condemned because it has been successful.

30. Time has also disposed of the uncertainty in the minds of the British Cabinet in 1917 as to whether Jews would exhibit sufficient zeal and enterprise and would respond to the opportunity afforded them to the point of becoming a definite majority of the inhabitants. The few figures quoted above indicate to what extent Jewish zeal and enterprise were present. Measured in money, all this was made possible because the Jews all over the world invested in Palestine \$180,000,000 of donated capital and \$420,000,000 of private capital, making a total of \$600,000,000. Measured in human anxiety to go to Palestine, it will suffice to mention that the 650,000 Jews today in Palestine are but a small part of those who wished to go there but were prevented from doing so by restrictions on Jewish immigration. If the Jews have not yet become a majority in Palestine, this is not—to use Mr. Lloyd George's phrase—because their response was inadequate,

but because the opportunity which was supposed to be extended was not afforded them in fact.

## IV.

## JEWISH COLONIZATION AND THE ARABS

31. What has been the effect of Jewish settlement on the Arab population of Palestine? The Jewish return to Palestine is unique in the history of colonization. It is one of the few instances on record where European colonization raised the standard of life of the native population. It has not been conducted through the exploitation of native labor. Instead of rich and fertile land being acquired for a few strings of beads, marsh and uninhabited desert were purchased at exorbitant prices. These are striking departures from the usual pattern of colonization in a backward area. But most revealing of all, this process, as already stated, has been accompanied by a great increase in the native population. Between 1920 and 1940, the Arab community nearly doubled, growing in size from 650,000 to over a million. To get the full impact of these figures one should compare this increase with the situation in Transjordan, which was cut off from Palestine in 1922 and closed to Jewish immigration. Though this country is also under a British Mandate, the population has remained static and impoverished.

32. The extraordinary increase of the Palestinian Arabs since Jewish colonization began is due partly to the immigration into Palestine of Arabs from neighboring countries who are attracted by the higher wages and better standards of living prevailing in Palestine. Chiefly, however, the increase is due to the improved health conditions introduced by Jewish nursing services and sanitation. The Arab birth rate is still at an extremely high

[illegible]

level, but it is no longer counter-balanced by a high death rate. So much for the myth of the "dispossessed" Arab.

33. The wage level and standard of living of the Palestinian Arab are far higher than those of neighboring Arab countries, including Egypt. The Palestine Royal Commission Report of 1937 found that Arab progress is largely due to Jewish endeavor. It is interesting that the prosperity of an Arab settlement is in direct ratio to its proximity to an area of Jewish settlement. Arabs have benefitted from the development of the country through Jewish capital. They have learned modern methods of citriculture from the Jewish farmer. Arab industry has expanded. The exploited Arab masses are gradually becoming aware of progressive concepts in labor relations and social legislation. Because of the arrival of the Jewish settler the Arab of Palestine is healthier; he gets more pay for fewer hours of labor; and he has a higher rate of literacy. Jewish colonization has galvanized a stagnant land into an awareness of new and better ways of life.

34. Why then, despite all these tangible benefits, are the Arab spokesmen so bitter in their opposition to Zionism? On what do they rest their case? It is impossible for the Arabs to deny the incontestable statistical evidence which indicates the increased material well-being of the Arabs of Palestine, and a rate of progress quite beyond that of any purely Arab country in the Near East. Even the accusation that Arab tenant-farmers were being driven off the land through Jewish land purchase, and that a class of "landless" Arabs had been created, could not stand the test of examination. Despite the fact that the government of Palestine offered to finance the resettlement of Arab tenants who claimed to have been displaced by the sale of land, only a few hundred came forward to take up the land offered. The "landless" Arab driven from his soil is as untenable a myth as the "countryless" Arab, driven from his country. Paradoxically enough, *since*

*the Balfour Declaration, Palestine has changed from a country of Arab emigration into one of Arab immigration—a phenomenon observable in none of the adjacent Arab countries who express solidarity with the supposedly wronged Arabs of Palestine.*

The Arab case, except for purposes of irresponsible propaganda, no longer bases itself on the contention that Arabs have been economically or physically injured by Zionism. It rests solely on the demand of the Palestinian Arab for exclusive political domination.

## V.

### THE BALANCE OF JUSTICE

35. If time has not disproved but on the contrary confirmed the need for a Jewish Palestine, neither has it shown that the Arabs have a better claim to Palestine, or stand in greater need of that country today than was the case at the end of the first World War. At that time, the statesmen of the world, trying to balance rival claims and to bring national independence to all small peoples, intended that eventually a number of independent Arab States would be set up in more than 1,000,000 square miles of what was formerly territory under Turkish suzerainty, and that the Jews, as part of the same settlement, would be given the opportunity to transform Palestine into a Jewish state. As between the Arabs and the Jews, both claiming that territory, it was found that the balance of equities favored the claim of that people which had no other national territory as against the people which had just been liberated and confirmed in the possession of enormous areas. The verdict of 1917-1922 was that by asking the Arabs—a majority in so many countries—to reconcile themselves to the position of a minority in one small area, a lesser injustice was

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committed than by asking the Jews—a minority everywhere—to forego their claims to become a majority in the one country in the world with which they, as a people, were historically connected. The answer to the question as to whether or not Jewish mass-settlement leading to a Jewish majority in Palestine was more equitable than a denial of that opportunity was therefore in the affirmative. Nor was there any doubt that given the democratic and egalitarian principles which are fundamental to the Jewish outlook and social structure, an Arab minority in Palestine would, as stated in repeated resolutions of the authoritative Zionist bodies, enjoy full equality of civil, linguistic and religious rights, as well as autonomy in the administration of their educational, cultural and social institutions.

36. Nothing has occurred since that time to change the picture. The Arabs as a whole have consolidated their rule over the territories awarded them after the first World War—territories which, if properly developed, offer economic opportunities for a greatly expanding population. The Arabs as a whole do not suffer from any racial or religious persecution, as do the Jews, and they do not need any additional territory to absorb their persecuted brethren. And neither the civil and religious rights of the Arabs of Palestine, safeguarded under the Balfour Declaration and the Mandate, nor their economic interests, have suffered from the Jewish Settlement of Palestine; on the contrary, their economic, health and cultural standards have risen greatly precisely *because* of that settlement; and the fact that their very numbers have multiplied is an indication that the coming of the Jews to Palestine has brought with it prosperity and betterment of conditions not only to themselves but also to their Arab neighbors.

37. In this connection it is relevant to recall the agreement between Emir Feisal and Dr. Weizmann reached at the Peace

Conference in 1919. It sheds light on the reaction of the chief Arab spokesman at the time the Balfour Declaration was issued and reads in part:

"His Royal Highness the Emir Feisal, representing and acting on behalf of the Arab Kingdom of Hedjaz and Dr. Chaim Weizmann, representing and acting on behalf of the Zionist Organization, mindful of the racial kinship and ancient bonds existing between the Arabs and the Jewish people, and realizing that the surest means of working out the consummation of their national aspirations, is through the closest possible collaboration in the development of the Arab State and Palestine, and being desirous further of confirming the good understanding which exists between them, have agreed upon the following articles:

I.

"The Arab State and Palestine in all their relations and undertakings shall be controlled by the most cordial good will and to this end Arab and Jewish duly accredited agents shall be established and maintained in their respective territories.

IV.

"All necessary measures shall be taken to encourage and stimulate immigration of Jews into Palestine on a large scale and as quickly as possible to settle Jewish immigrants upon the land through closer settlement and cultivation of the soil. In taking such measures the Arab peasant and tenant farmers shall be protected in their rights, and shall be assisted in forwarding their economic development.

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VII.

"... The Zionist Organization will use its best efforts to assist the Arab State in providing the means for developing the natural resources and economic possibilities thereof.

*Postscript Inserted by Emir Feisal*

"If the Arabs are established as I have asked in my manifesto of January 4th addressed to the British Secretary of State for Foreign Affairs, I will carry out what is written in this agreement. If changes are made, I cannot be answerable for failing to carry out this agreement."

38. As it was, the Arab State indicated in the Agreement and the Emir's Postscript did not at the time come into being, for reasons which had nothing to do with Palestine or the Jewish National Home. But it is pertinent to point out that the Arabs have since attained independence throughout the area of the proposed "Arab State". Saudi Arabia, Iraq, Syria, Lebanon and Transjordan have now been set up as independent states in an area covering about 1,200,000 square miles. All the Arab lands of Asia are included in this enormous, underpopulated area—with the exception of the 10,000 square miles of Western Palestine, which constitutes less than 1 per cent of the total. Thus in 99 per cent of the territories liberated from Turkish rule as a result of World War I, the Arabs enjoy national sovereignty. Less than 1 per cent has been reserved for the Jewish people in the land of their fathers.

39. Lord Balfour made the British position clear when he said on July 12, 1930:

"I hope they (the Arabs) will remember that... the Great Powers, and among all the Great Powers most especially Great Britain, has freed them, the Arab race, from the tyranny of their bestial conqueror, who had kept them under his heel for these many centuries. I hope they will remember

that it is we who have established the independent Arab sovereignty of the Hedjaz. I hope they will remember that it is we who desire in Mesopotamia to prepare the way for the future of a self-governing autonomous Arab state. And I hope that, remembering all that, they will not grudge that small notch—for it is no more geographically, whatever it may be historically—that small notch in what are now Arab territories being given to the people who for all these hundreds of years have been separated from it."

40. Surveying the great gains made by the Arabs, the most passionate champion of the Arab cause must concede that the Anglo-Arab understanding has been more than kept by the British Government, for even "the little notch" was diminished by two-thirds through the truncation of Transjordan, now a fifth independent Arab state. Years ago, the individual best equipped to judge the nature of Arab services in the last war and the extent of the pledges made to them by the Allies, Lawrence of Arabia, announced that the promises made to the Arabs had been fulfilled: "We have come out of the Arab affair with clean hands."

41. It has already been shown that the Arabs of Palestine have prospered and multiplied in far richer measure than any other Arab people. Their civil and political rights as individuals are safeguarded, as well as their interests as a religious and cultural community. Nevertheless they want the assurance of exclusive political domination. They do not wish to become a minority through the influx of large-scale Jewish immigration no matter what guarantees are given them. They suggest pointedly that the misfortunes of the Jews are not their affair.

42. To this we must say again, Jews are a minority everywhere and a majority nowhere. The strip of land, hallowed for them by history and promised them by solemn international

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371 / 61903



covenants, is the only one on which they can live again as a people and neither the Arab world nor the Arabs of Palestine have the moral or legal right to demand that the United Nations abrogate these international commitments in regard to Palestine.

There is no acute insoluble problem of Arab nationalism involved. The land of Palestine represents for the Arabs a tiny part of their huge territories, not an irreplaceable national whole. The bonds that tie the Palestinian Arab to his soil are those which attach a man to the house of his father, the town of his birth. These are undeniably precious ties, but the Palestinian Arab can still remain in his own country, even if a Jewish Commonwealth should be established in Palestine. The Arab who does not object to his neighbors, who wishes to stay and prosper, will continue to thrive as before. He will enjoy the full political rights and equality of opportunity assured to every citizen of the Commonwealth and his interests as a member of a special religious and cultural group will be fully honored.

43. The Arab nationalist movement undoubtedly has autochthonous popular roots. In addition, however, it has been artificially stimulated by reactionary elements both within and without Palestine. To channel the economic and social discontent of an awakening Near East into religious fanaticism and a chauvinistic nationalism is an obvious device. It is no accident that Arab leaders worked hand-in-hand with Hitler and Mussolini, and that Axis funds helped to finance the Arab disturbances in Palestine. Fascism has been the close ally of the Arab nationalist movement. The exiled Grand Mufti of Jerusalem was feted in Berlin. A notorious collaborator of Hitler, he organized Moslems in Yugoslavia to fight the Allies, and systematically instigated the Moslems of North Africa by radio; and today, though not allowed to return to Palestine, the Grand Mufti is the official president of the Palestinian Higher Arab Committee and directs the Committee's

policy and activities from Egypt. Elsewhere in the Middle East Arab reactionaries connived with the Nazis against the democracies. The tune changed once the victory of the United Nations was assured, but the record remains. It is not irrelevant that the most inveterate and rabid fomenters of discord in Palestine have also been the most indefatigable foes of the democracies.

44. In assaying Arab and Jewish counter-claims, Arab consent cannot be viewed as the decisive factor. In so far as there were responsible Arab spokesmen during the period of negotiation of the Balfour Declaration and the Mandate, such consent was forthcoming. Now, after the passage of nearly three decades during which Jews have resurrected Palestine through their self-sacrificial toil and through the expenditure of large sums raised among Jews throughout the world, it is manifestly unfair at this late date to ask for the approval of the Arab kings, an approval for which there is no necessity in international law or morality. And if there was urgent need for a Jewish homeland in 1917, then today that need has grown to catastrophic proportions.

## VI.

### THE MANDATORY, THE JEWS AND THE ARABS

45. It was one thing to enunciate a great policy of reconstruction. It was another to translate it into the humdrum terms of administrative routine. The task was without precedent. To govern a country not only in the interests of its present inhabitants, but with a view to the absorption of a continuous stream of newcomers and the progressive evolution of a new society, called for administrative statesmanship of the highest order. The Colonial Office had no tradition of an active policy of development in the countries under its control. Nor had the Palestine Administration

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received any training or clear guidance for its novel task. It was recruited largely from officers who had served in the War. Many were without any administrative experience, all without preparation for this unprecedented responsibility. A good many had begun their association with the Middle East in Arabic-speaking countries. Others were accustomed to dealing with subject peoples, and felt ill at ease in handling a complex community, mainly of European origin. Not a few showed lack of sympathy with the basic purpose of the Mandate or scepticism of its practicability. There were, indeed, some leading figures imbued with the spirit of the new policy, but they were too few to change the general orientation. The Administration deserves full credit for having, within a relatively short period, built up on the ruins of the primitive Ottoman regime, a modern machinery of government, and for having constantly striven to improve it. Yet its conception of its duties was essentially static, in the sense that it considered itself mainly responsible for the well-being of the existing population and not for the promotion of further growth. The result was that, while adherence to the standards of the Colonial Office produced improvements in various fields and some notable technical achievements (such as the construction of the Haifa harbor, the building of main roads, the laying of the Jerusalem water pipe line, afforestation and agricultural experiments), the provisions of the Mandate for the active promotion of the Jewish National Home remained largely inoperative.

The lack of sympathy of the Administration for the task entrusted to it could not fail to be noted by the Arabs. They inevitably interpreted it, to quote the Royal Commission, "as showing that the British determination to implement the Balfour Declaration is not sincere" (p. 363). This was bound to encourage opposition.

46. The Zionist leaders had always realized the importance

of securing Arab good-will and made repeated attempts to establish contact with the Arab world. When, early in 1918, a Zionist Commission was sent out to Palestine to advise the British authorities, it defined one of its tasks as that of "aiding and establishing friendly relations with the Arabs".

How Dr. Weizmann then sought out the Emir Feisal and later reached with him an agreement for cooperation between the Arab State and Palestine, has been described above. Speaking of these negotiations many years later, at the 17th Zionist Congress in 1931, Dr. Weizmann said:

"Many years have passed since then, but in all these years, I have never neglected an opportunity, whenever one offered itself, whether in Palestine, in London or elsewhere, of coming into touch with Arab and Moslem leaders, and of exploring for myself all possible avenues of cooperation. The blame for the exiguous success of these endeavors does not lie with me."

47. The Zionist movement has never allowed even armed attack and provocation to deflect it from seeking the cooperation of the Arabs or from acknowledging Arab rights and welfare as fundamental. In 1922, after the 1929 riots, and again in 1936, this principle was firmly and publicly stated. In September, 1936, for instance, at a session of the Administrative Committee of the Jewish Agency in London, the following resolution was adopted:

"Months of terror have not destroyed the bonds of a common origin, of many centuries of a common civilization, and of the common interests of the Jewish people and the Palestine Arabs in the upbuilding of Palestine. Our desire is to live in peace and cooperation with the Arabs, in accordance with the principle that neither Jews nor Arabs shall dominate or be dominated."

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48. It was anticipated that, with the development of the country, common economic and social interests would mitigate the political conflict and lead to cooperation in wider fields. Actual developments lent support to these expectations. The tissue of identical interests and neighborly relations grew steadily, never entirely interrupted by outbreaks and always resumed on the restoration of peace.

One example of such normal relationship is the association of Jewish and Arab orange growers, shown in joint representations to the Government and in common efforts to open up foreign markets. Another is the existence of certain Arab trade unions established with the help of the Histadrut (Jewish Labor Federation) and linked up with it in the Palestine Labor League. It was in no small measure due to the efforts of the Histadrut that Arab workers on the railways, in the port of Haifa and in various undertakings financed by international capital, secured an eight-hour day and improved working conditions, superior to those obtaining in the Arab States. Similarly, the initial measures of labor legislation in Palestine, designed for the benefit of Arabs and Jews alike, were due to the efforts of Jewish labor.

In the municipalities of some of the mixed towns, notably in Haifa, Arab and Jewish councillors cooperated with fair smoothness.

51. Rural life likewise offered a wide field for intercourse. Arab farmers have learned from the example of their Jewish neighbors and the work of the Jewish Agency's Agricultural Research Institute. Jewish agricultural settlements throughout the country have made every effort to maintain friendly relations with neighboring Arab villages. Fellahin bring their sick children to the physicians of the Jewish settlements, receive gifts of seedlings acclimatized by the Jews and carry on trade with them. To foster such intercourse, the Jewish Agency has for a number of years maintained a system of resident and travelling

instructors in Arabic and held courses in Arab manners, folklore and traditions.

It is noteworthy that during the pre-war disturbances, attacks on Jewish settlements were usually carried out by armed bands specially sent there for that purpose. As a rule, the local Arab villagers dissociated themselves from these attacks, or even warned the settlements beforehand, at the risk of punitive reprisals against themselves.

52. Arabic is taught in all Jewish secondary schools and in many elementary and village schools. At the Hebrew University, the School of Oriental Studies was one of the first Departments to be set up; it has done much research work in Arab history and literature and has produced teachers of Arabic for the Hebrew schools.

Valuable pioneer service in the cause of Jewish-Arab friendship has been rendered by the Hadassah Medical Organization whose hospitals have always been open to Arab patients and have also been frequented by Arabs from the neighboring countries.

51. All these developments have meant a greater measure of daily contact than is generally realized abroad. They show that between Jews and Arabs, as human beings, there is no innate hostility. They also indicate the acceptance by the Arabs of the Jewish immigrants, once they are settled. Although this does not in itself resolve the present political difficulty, it is the most hopeful omen for the future.

52. The Jewish Agency has never minimized the difficulty. Zionist representatives have at every opportunity explored the chances of political agreement with the Arabs. The failure of these efforts (an account of which cannot here be rendered) has been mainly due to the denial by the Arab leaders of the basic Jewish claim for freedom of entry as prescribed by the Mandate. The Arab leaders strive to keep Palestine a predomi-

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371 / 61903

nantly Arab country in which they want the Jews to accept a minority position.

53. The Arab leaders, in their opposition to the Mandatory regime, have resorted from time to time to organized mass violence; they have played upon irrational fears, fanned religious fanaticism and exploited foreign influences—as in the disturbances of 1936-1939, when Arab terrorism was assisted by the Axis. Though the risings were eventually put down, a premium was put on violence in the form of political concessions. That resistance from the Arabs created serious difficulties for the Administration cannot be doubted. But it is the belief of the Jewish Agency that, if the Mandatory had firmly adhered to the Balfour Declaration and had speeded up the development of the Jewish National Home, there would have been more hope of Arab acquiescence and political reorientation. As it was, a converse process took place. Successive strategic withdrawals from the Balfour Declaration policy encouraged rather than diminished the resistance to it.

## VII.

### BREAKDOWN OF THE MANDATE

54. The subversion of the Mandate proceeded by stages. The first breach was the exclusion of Transjordan from the scope of the Jewish National Home. With one stroke the major part of the original area of Palestine was closed to Jewish immigration and settlement. But even in Western Palestine the Jewish National Home policy was not actively pursued. Except for the Electricity and Potash concessions, little specific action was taken by Government to promote the Jewish National Home. As regards immigration, the numbers for most of the period fell below the absorptive capacity created by the Jews themselves. Jewish settlement

on the land was not encouraged. Practically no agricultural State lands were set aside for it. The agrarian and fiscal systems were not helpful to Jewish colonization. In short, the building up of the Jewish National Home by the efforts of the Jews themselves was first merely tolerated and then deliberately checked. A grave revelation of this trend was the Passfield White Paper of 1930, a document substantially revoked in the Prime Minister's letter to Dr. Weizmann of February 1931. The menace of the Nazi and Fascist regimes and their agitation in the Middle East gave new impetus to the anti-Zionist drift.

55. The Report of the Royal Commission sent out in 1936 marked a new departure. It established that the original intention of the Balfour Declaration was an eventual Jewish Commonwealth. It accepted the claim of the Jewish people to statehood and recognized that only territorial sovereignty in Palestine could meet its case. On the other hand, it limited that proposed sovereignty to a fraction of Palestine—one-fifth of the country west of the Jordan, one-twentieth of the territory originally covered by the Balfour Declaration. The Mandatory Government promptly announced their acceptance of the scheme in principle, but in the process of working out its practical details, the Woodhead Commission reduced it to an absurdity. Finally, to meet the Axis challenge and win the support of the Arab States in the looming struggle, the British Government, in the White Paper of 1939, sacrificed altogether the central idea of the Mandate which had been the very *raison d'être* for its continued control of Palestine.

56. In November, 1938, the Government invited Jewish and Arab representatives to a Palestine Conference which met in London in February, 1939. In addition to the Palestine Arabs, representatives of the Governments of Egypt, Saudi-Arabia and Iraq were also called in. Though the Jewish Agency had always

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371 / 61903					

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denied that the Arab States had any *locus standi* in the affairs of Palestine, save as State Members of the League of Nations, it accepted the invitation in order not to obstruct the attempt at an agreement. But, owing to the refusal of the Palestine Arab leaders, the Conference did not take the originally intended form of a round-table meeting between the British, the Arabs and the Jews, and separate series of meetings were held. During the final stage of these discussions, the Government produced a new policy subsequently embodied in a White Paper which was published in May, 1939.

57. The White Paper limited Jewish immigration to Palestine to a total of 75,000, after which it was to be subject to Arab acquiescence; it empowered the High Commissioner to prohibit the transfer of land to Jews in specified areas; it provided for the establishment within ten years of a Palestine Government based on the actual population of the country, in which the Jews were not to exceed one-third of the whole. In February 1940, Land Regulations were enacted under which the Jews were completely debarred from acquiring land in 63% of the area of Palestine and restricted in another 32%. In brief, the policy denied the rights of the Jewish people as such in regard to Palestine and relegated the Jews already settled there to a permanent minority status and a territorial ghetto. Thus the conception underlying the Balfour Declaration and the Mandate of a freely growing Jewish community, eventually developing into a Jewish Commonwealth," had been stultified. "The notion," wrote Mr. Lloyd George in his analysis of the Peace Treaties, "that Jewish immigration would have to be artificially restricted in order to ensure that the Jews should be a permanent minority never entered into the heads of anyone engaged in framing the policy. That would have been regarded as unjust and as a fraud on the people to whom we were appealing."\* Similarly Mr. Philip Noel-

Baker, now Secretary of State for Air, stated in Parliament: "For him (the Colonial Secretary), the primary purpose of the Mandate is no longer the establishment of the Jewish National Home, but the protection of a new right which he has invented, the right that the Arabs shall be a majority forever... By inventing this new Arab right to be in a majority, he has utterly destroyed the purpose and meaning of the Mandate."

58. The Permanent Mandates Commission held unanimously that the White Paper was incompatible with the construction put on the Mandate in the past by the Mandatory itself. The majority of its members declared that the new policy was not in conformity with any construction which might properly be put on the Mandate, any contrary conclusion being "ruled out by the very terms of the Mandate and by the fundamental intentions of its authors". (Minutes of 36th Session, June 1939, page 275). In Parliament, the White Paper was denounced by Mr. Churchill, Mr. Amery and the whole Labor front bench as "a plain breach of a solemn obligation", as "a repudiation of the Balfour Declaration", as "a cynical breach of pledges given to the Jewish people and the world, including America", as "a breach of faith and of British honor".

59. The psychological effects of the White Paper were of the gravest character. It seemed that Jewish self-restraint during the trying years of the disturbances had been penalized, and Arab aggression rewarded. The inference that violence was the surest method to achieve political success was inescapable. The sinister lesson sank deep into the consciousness of Arabs and Jews alike. It was to be fraught with most serious consequences.

\* D. Lloyd George: "The Truth About the Peace Treaties", Vol. II, pp. 1138-9.

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# VIII.

## THE WHITE PAPER AND THE WAR

60. If the White Paper policy was out of keeping with the possibilities of Palestine, it was even more blind to Jewish needs. The blow came to the Jewish people at a time when the Nazi Government was intensifying its campaign against the Jews. But even the outbreak of war and the capture of over 3,000,000 Polish Jews produced no change of heart.

61. Before hostilities commenced, the Jewish Agency asked for the immediate admission of 20,000 children from Poland and 10,000 young men from the Balkan countries, the latter to reinforce manpower in Palestine. These requests were rejected; it was, apparently, feared that at such a pace the quota of 75,000 would be used up too quickly. The Polish-Jewish children went to Maidanek and Auschwitz instead, while of the young Jews in the Balkans many died and many were forced to work for Hitler. The fear of impending massacres expressed by the Jewish Agency at the time was written off as groundless. So the hopeless tug-of-war continued: the Jewish Agency trying to rescue Jews as quickly as possible, the Government seeking to dole out the quota as slowly as possible.

62. After the holders of pre-war permits had been admitted, a ban was imposed on all further immigration from enemy countries, on the ground that Nazi agents might come in. In May, 1940, the Jewish Agency appealed for the exemption of children and of certain adults of assured identity. The decision took nearly two years. No exemption was then granted in favor of adults. The concession regarding children came too late.

Meanwhile, groups of Jews had managed to escape from Europe and reach Palestine. Their entry was held to justify a complete suspension of the issue of new permits even to parts

of Europe which were not yet enemy territory. Thus quotas were withheld for the half-years October, 1939, to March, 1940, and October, 1940, to March, 1941. The latter period immediately preceded the German invasion of the Balkans. Only a few hundred emergency permits were at the time granted for the Balkan Jewries, mostly too late. The Government actually advised the Jewish Agency to save up permits for post-war use when they could be given to Jews from Germany, in preference to those from the Balkans.

63. The search for boats carrying Jewish fugitives and the prevention of their landing became a major concern of the authorities. In November, 1940, the Government announced that Jews coming illegally from Europe would not be allowed to land, but would be interned elsewhere and not admitted to Palestine even after the war. As a reaction, the "Patria", with 1771 Jewish refugees on board awaiting deportation, was blown up and sunk in the port of Haifa. About 250 of its passengers were drowned and the survivors landed and interned. A further 1700 refugees, who had been landed, were, with a considerable use of violence, re-embarked and deported to the island of Mauritius. From there they were released and brought to Palestine only at the end of the war, after over 100 of their number had died of disease. In December, 1940, 230 refugees, including many children, perished when the tramp steamer "Salvador" foundered in the Sea of Maomora. They had hoped to proceed overland from Istanbul, but no visas were available. In March, 1941, 793 refugees, mostly fleeing from the massacres in Rumania, arrived on board the "Darien". In view of the vessel's condition they had to be landed, but for seventeen months they were kept in detention under the threat of deportation. On the 24th February, 1942, came the "Struma" tragedy. That boat had stood in the port of Istanbul for nearly two months waiting for Palestine visas.

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In the end only children were allowed to proceed, but the decision came too late. The Turkish authorities had turned the vessel back into the Black Sea, where it sank. Of its 764 passengers only one survived.

64. "In Palestine," writes an American Jewish author, "over half a million Jews waited with open arms for their tormented and homeless kin . . . while over the Mediterranean and Black Sea unclean and unseaworthy little cargo boats crept from port to port, or tossed about on the open waters, waiting in vain for permission to discharge their crowded human cargoes. Hunger, thirst, disease and unspeakable living conditions reigned on those floating coffins. . . There is a list of mass tragedies already available; incomplete though it certainly must be, it is sickeningly long."\*

65. After the "Struma" disaster the rules were relaxed. It was decided to admit and gradually release all refugees from Europe who reached Palestine on their own. At the same time it was made clear that nothing would be done to help them get there. In a communication to the Jewish Agency in May, 1942, the British Government said:

"In pursuance of the existing policy of taking all practicable steps to discourage illegal immigration into Palestine, nothing whatever will be done to facilitate the arrival of Jewish refugees in Palestine."

It should be borne in mind that at that time no facilities existed in the Balkans for obtaining visas to Palestine. The only way for a refugee to seek legal admission to Palestine was to reach Istanbul and apply to the British Consul there. But at Istanbul he was already considered "illegal".

68. Late in 1942, authentic reports about the wholesale extermination of the Jews became public. Under their impact the

\* M. Samuel: "Harvest in the Desert", Philadelphia, 1944.

Government, in the middle of 1943, agreed to facilitate the journey to Palestine of all refugees reaching Istanbul. Yet this decision, of which the Jewish Agency was informed confidentially, was not published, nor was it, for a further nine months, communicated to the Turkish Government. It was thus robbed of much of its value.

There can be little doubt that substantial numbers who are dead today, certainly tens of thousands, might have been alive if the gates of Palestine had been kept open.

67. The land restrictions imposed under the White Paper were not so tragic in their immediate effect as the strangle-hold on immigration, but their consequences are grave. First, they restrict the land base of the Jewish National Home and force the Jews in Palestine to remain mainly town dwellers. Secondly, they introduce a statutory discrimination against Jews. Both strike at the essentials of Zionism and at basic provisions of the Mandate regarding Jewish settlement on the land and full racial equality. The Land Regulations claim to protect Arab peasants and cultivators from dispossession. If this were so, one would expect the restrictions to be more severe where Jews have already acquired a considerable proportion of the land. Actually the reverse is the case; in the zone where the Jews have so far only 3%, further transfer of Arab land to them is completely prohibited; where they have 7%, each new acquisition is subject to special approval; where they hold 49%, they are free to acquire the remainder. The real purpose of the Regulations is political: they are intended to preserve the Arab character of the bulk of Palestine.

Administrative practice has gone even beyond the law. Though State lands were expressly excluded from the restrictions, they were, by an administrative ruling, put on the same footing as Arab lands. The Administration has refused to relax this arbitrary ruling even in favor of Jewish ex-soldiers.

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371 / 61903					

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68. The White Paper cast its shadow also over the Jewish war effort. In spite of its bitter fruits, the Yishuv was eager to fight with Britain against the common enemy. When the War broke out, Dr. Weizmann, in a letter to the Prime Minister, said: "The Jewish Agency has recently had differences in the political field with the Mandatory Power. We would like these differences to give way before the greater and more pressing necessities of the time." The offer was officially accepted, but its execution was crippled. Like any other national group, the Yishuv felt entitled to organize its war effort on a national basis. In fact, it was only on that basis that it could be made really effective. But the British authorities felt that such status would run counter to the spirit of the White Paper. Between fighting Hitler and fighting Zionism a conflict had arisen.

69. Altogether some 33,000 Palestinian Jewish volunteers (29,000 men and 4,000 women) served in the Army, Navy, Air Force, and full-time local defense. The 26,000 in the three Services have served in Palestine, France, Egypt, Sudan, Eritrea, Abyssinia, Libya, Greece, Crete, Syria, Iraq, Italy, Austria and the Low Countries. Apart from the Brigade Group, there were over sixty units of Royal Engineers, transport, ordnance, electrical and mechanical service, etc., who, according to numerous reports, ranked high in the estimation of their respective Commands. This record may be compared with the total of 9,000 Arabs who enlisted in Palestine, but who hailed partly from Transjordan, Syria and the Lebanon; long before the end of the war, the Arab total was reduced by at least one-half through desertions and discharges.

70. Apart from regular military service, selected Jewish civilian volunteers carried out secret raids in the Middle East and parachute missions in enemy Europe. Half of them lost their lives. Here again, a fuller use of such human material was not made because of opposition on political grounds.

71. But for the political obstacles created by the White Paper, the Jewish war effort, both military and economic, would have developed more rapidly and on a larger scale. On the other hand, the White Paper failed in its major purpose of ensuring Arab loyalty. Even before the war, the essential background to the disturbances in Palestine were the Munich years—a period in which Axis prestige was mounting rapidly at the expense of Britain and France. The Mufti of Jerusalem, like shrewd and ambitious men elsewhere, prepared to hitch his wagon to this rising star. The White Paper merely confirmed their diagnosis of Britain's weakness. Axis victories in the opening phases of the war appeared to put the issue beyond doubt. As the threat to the Middle East grew, a pro-Axis orientation, active or passive, predominated throughout the Arab world. The Hitler legend, fostered by skillful propaganda and supported by success, captured the imagination of the Arab leadership.

72. No Middle Eastern country was willing to come into the war on the Allied side. Behind their grudging neutrality, there were pro-Axis elements poised for an attack from within, to coincide with an assault from without. In Iraq, the rising went off at half-cock. The Mufti fled to Berlin from where he exhorted the faithful. Elsewhere in the Middle East a more accurate sense of timing prevailed, and there was no eagerness to come off the fence prematurely. At the end of the war this caution was astonishingly rewarded. Without sacrificing a man or a millieme for victory, the Arab States found themselves amongst the victors, with five seats in the United Nations.

The Jewish people, for all its casualties and contributions, stood on the doormat. Contrary to every expectation, the White Paper remained, even after it had failed to pass the test of war. Bitterly disillusioned, the Jews realized that for them the war was not yet over.

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# IX.

## INTERIM POLICY AND CONCLUSION

73. The fate of Palestine is now in the hands of the United Nations. Despite the victory over Hitler gained two years ago, the martyrdom of considerable numbers of the Jewish survivors of the European massacres continues in displaced person camps and elsewhere. The Jewish Agency holds that while the United Nations deliberate, and pending their recommendations concerning the future government of Palestine, the Mandate must be restored in spirit and in letter, and the illegal policy of the 1939 White Paper terminated. In this connection, it will be recalled that in April of 1946, the Anglo-American Committee of Inquiry recommended, on grounds of common humanity, the immediate transfer of substantial numbers of Jews from the European camps to Palestine. It also urged the removal of the present racial land restrictions. No action has, in the intervening twelve months, been taken in fulfillment of these recommendations.

74. The Jewish Agency finds it difficult to conceive that the United Nations would wish the present unbearable state of affairs in Palestine and in the camps of Europe to be prolonged because of further protracted deliberations. Specifically, it is urged that pending the decisions of the United Nations, the British Government should be called upon immediately to revert to the original policy confirmed by the League of Nations of regulating Jewish immigration on the basis of the country's capacity to absorb new immigrants, and should further withdraw the discriminatory land regulations of 1940.

75. The Jewish case, judged on the basis of present merit and past commitments, stands firm. The fact of Arab opposition neither weakens nor invalidates it, though it admittedly complicates it. Yet, despite this complication, the world can no longer evade a fundamental solution of the Jewish problem.

The motives for establishing the Jewish people in its own country are more compelling at the end of the second World War than they were at the end of the first. For its lack of a home the Jewish people has paid a terrible penalty. The lesson of the catastrophe is clear: the remnant must be evacuated to Palestine, and statehood must be attained as quickly as possible. The road to statehood is, primarily, that exodus from Europe. The immigration drive must take account also of the position of Oriental Jewries and of the growing insecurity in other countries outside Europe. Side by side with this influx must go large-scale development and absorption projects, which will not materialize unless the responsibility is entrusted to those most vitally interested. Political emancipation for Jewish Palestine is rendered all the more urgent by the rising tide of Pan-Arabism.

76. The State contemplated will be one in which all citizens, regardless of race or creed, shall enjoy equal rights, and all communities shall control their internal affairs. The State will not be Jewish in the sense that the Jews in it will have more rights than the non-Jews, or that its Jewish community will be superior in status to other communities, or that other religions will have an inferior status to the Jewish religion. In what sense will it then be a Jewish State? It will be Jewish because Jews will have a right of entry to it, not limited by any political consideration; because in it Jews will be free to create a society according to their own way of life; because, in addition to its ordinary function of ensuring the welfare of all its inhabitants, the State will have the special function of serving as the Jewish National Home and providing refuge for oppressed Jews; because by its existence it will normalize the status of the Jewish people.

77. For the State to achieve these ends, a Jewish majority is essential. The grant of self-government to Palestine based on

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an Arab majority would prevent further Jewish immigration and wreck the possibilities of the country's rapid development. In this policy the Arabs of Palestine would count on the support of the surrounding Arab States. The result would be the conversion of Palestine into an Arab State and the subjection of its Jewish minority to Arab rule. The converse fear of the Arabs being dominated by a Jewish majority is not warranted. An Arab minority would not have to rely entirely on constitutional safeguards and international guarantees. Palestine is surrounded by Arab territories. Jews everywhere else, including the Arab States, are in the minority. These two facts can be depended upon to serve as brakes on the abuse of power. Moreover, the Jews are intent on development; they cannot do this successfully without the Arabs sharing in the benefits.

78. It is our belief that, in the long view, the Jewish Commonwealth offers the surest basis for a stable relationship between Jewish Palestine and the Arab world. A Jewish minority in an Arab Palestine would be at the mercy of its neighbors. It would be much easier to oppress it than to negotiate with it. The present boycott of Palestinian-Jewish products by the members of the Arab League is a case in point. The boycott was proclaimed in the knowledge that the aggrieved party had no power to reply. Palestine as a Jewish Commonwealth would change the situation.

79. Although at present cooperation between Jewish Palestine and the Arab world may seem unlikely, mutual interests are bound sooner or later to bring them closer together. The Middle East is clearly on the threshold of far-reaching developments. It represents at present a vast, under-developed area with a sparse population living mostly in extreme poverty. Palestine has already become something of a laboratory for this region which is drawing the attention of progressive minds in the countries around.

Once the Jewish Commonwealth has been set up, the stimulative effect of its example and technical resources will operate more freely than it does at present, when the Palestine issue is still in the balance. The Jews have much to contribute towards the reconstruction of the Middle East—but they can contribute it only as equals.

80. The present controversy involves the principle of self-determination on both sides. But the choice is between a constructive and a static approach. To be judged correctly, the issue must be set against a wider background. The Jewish return to Palestine is no challenge to Arab control over a huge area, no threat to Arab civilization, no obstacle to Arab progress. On the other hand, the Arab claim to dominate Palestine must be weighed against the human need of millions of Jews and the national need of the Jewish People. Philanthropic attempts to solve the urgent and practical problem of European Jewry by settling Jews elsewhere have failed to elicit a welcoming reaction from the countries of proposed immigration or a creative response from the refugees, whose great longing after all their sufferings is for a homeland of their own. Jews ask that the survivors of the European holocaust be permitted to immigrate freely into Palestine and together with the Jews already there, be enabled to set up a self-governing Jewish Commonwealth as originally envisaged by the Balfour Declaration.

The issue is not merely one between Jews and Arabs. It concerns the whole world. Only the re-establishment of the Jewish Commonwealth can lay the evil spirit of anti-Semitism and offer the Jews that freedom and security which are the birthright of every people.

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RESOLUTION ON JEWISH-ARAB RELATIONS  
ADOPTED BY THE  
22ND WORLD ZIONIST CONGRESS  
BASLE, SWITZERLAND, DECEMBER 23, 1946

The Congress endorses the resolution adopted by the Inner Zionist Council in 1945 which laid it down that:

(i) The Jewish State will be based upon full equality of rights for all inhabitants without distinction of religion or race in the political, civil, religious, and national domain, and without domination or subjection. All communities will enjoy full autonomy in the administration of their religious, educational, cultural and social institutions. The Arabic language and Arab schools will enjoy full State rights. Municipal self-government will be developed in all towns and villages. The Jewish State will employ all efforts to raise and equalize the standard of living of all the inhabitants of Palestine.

(ii) The Jewish people will aim at cooperating with the Arabs in Palestine in order to attain the highest degree of development of the country in the interests of all its inhabitants and will strive for an alliance of friendship between the State and the Arab peoples in the neighboring countries, on the basis of reciprocal relations and mutual assistance for the welfare and progress of all countries in the Middle East.

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**THE POSITION  
OF THE JEWISH COMMUNITIES  
IN ORIENTAL COUNTRIES**

JERUSALEM, 1947

THE JEWISH AGENCY FOR PALESTINE  
INFORMATION OFFICE

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**MEMORANDUM**  
submitted in March, 1946, to the  
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in Jerusalem  
by the  
Jewish Agency for Palestine

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## THE POSITION OF THE JEWISH COMMUNITIES IN ORIENTAL COUNTRIES

### Summary

**I**N THE countries of North Africa and the Middle East (excluding Palestine) there are at present between 800,000 and 900,000 Jews, distributed as follows:

Syria and Lebanon	16,000	—	18,000
Iraq	120,000	—	130,000
Yemen and Aden	45,000	—	50,000
Egypt	70,000	—	80,000
Libya		30,000	
Tunisia	70,000	—	80,000
Algeria		120,000	
French Morocco	170,000	—	190,000
Spanish Morocco and Tangiers		30,000	
Arabic-speaking countries	671,000	—	728,000
Turkey	65,000	—	75,000
Iran	80,000	—	90,000
Afghanistan (incl. refugees)	4,000	—	5,000
Various countries (Hadhramaut, Sudan, Bahrein, etc.)		3,000	
Islamic countries	823,000	—	901,000

2. The historic position of the Jewish communities in these countries is one of inferiority, brief interludes of peace and prosperity alternating with periods of oppression. According to the laws of Islam, Jews (as well as Christians) living in Moslem countries are regarded as "protected persons." Their lives, property and freedom of worship are assured, but in practice they are subjected to various forms of discrimination, enjoying the tolerance of the Moslems at the price of submission to second-class citizenship.

3. With the penetration of European ideas into the Orient 150 years ago, the domination of religion in political and social life gradually weakened; non-Moslems were given equal legal rights and came under the protection of Western Powers.

4. Nevertheless, the emancipation of the Jews was hampered by several factors:

- (a) The penetration of Moslems, consequent upon their economic and cultural rise, into the urban occupations formerly held by Jews.

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371 / 61903					

5. Discrimination against the Jews is practised today in all spheres: Government service is virtually closed to them, an unofficial *numerus clausus* prevails in the universities, State-controlled industries and banks employ only Moslems, Jewish firms are compelled to take in Moslem partners, Jews are excluded from political life and subjected in backward countries to humiliating customs.
6. The anti-Zionist propaganda of the Arab League and its member States, accompanied by a campaign of misrepresentation and incitement, is an additional threat to the Jews. The distinction formally made by Arab leaders between Jews and Zionists is unreal, and not appreciated by the common people, as shown by the recent anti-Jewish riots in Egypt and Tripolitania. The ban on emigration to Palestine and the anti-Zionist boycott aggravate the position of the Jews who are coming ever more to be regarded as hostages for the Arabs of Palestine. Jewish leaders in Arab capitals have been coerced into making anti-Zionist declarations.
7. While the Jews are denied political and civic equality, their cultural freedom, too, is severely limited. The total result is degradation and insecurity. Jewish youth is faced with the choice of affiliation with the Communist movement or emigration to Palestine.

1. In the countries of Northern Africa and the Middle East (excluding Palestine) there are at present between 800,000 and 900,000 Jews.<sup>1</sup> In none of them do the Jews in practice enjoy full equality of civic, political and economic rights. In some they suffer persecution.

The history of the Jewish communities in the Moslem countries is by no means a period of blissful tranquillity under enlightened princes, as modern Arab historians try to make out. There were periods, such as

<sup>1</sup> No exact figures are available. In most of these countries no censuses have been held in recent years. The official statistics relating to the number of Jews are particularly defective, because in most countries they refer only to members of the local Jewish communities and not to the foreign Jews residing there permanently.

The figures given in the summary above have been arrived at by careful comparison of the latest censuses with information from reliable sources, taking into account the changes in recent years (through natural increase, migration, etc.).

2. The Koran contains a number of anti-Jewish passages:

"Thou shalt surely find the most violent of all men in enmity against the true believers to be the Jews and the idolaters..."<sup>3</sup>

The expeditions of Mohammed against the Jews of the Arabian Peninsula, which ended with their expulsion or extermination, also left their mark, as all the actions of the prophet were accepted as "*Sunnah*," i.e., a model of conduct which every Moslem was in duty bound to emulate. 3. According to the Koran and the laws of Islam, Jews (as well as Christians) living in Moslem countries are regarded as "protected persons" (*dhimmi*) whose lives, property and freedom of religious practice are assured to them on payment of a special per capita tax (*jizya*) and in return for their submission to various forms of discrimination. The tolerance of the Moslems was thus purchased at the price of second-class citizenship.<sup>4</sup> More exactly, under the "*millet*" system in the Ottoman Empire, the Jews were not considered citizens of the Moslem state at all, but as an alien community with autonomy in internal affairs (religion, education, law courts, etc.), but with no share whatever in the administration of the State.

A great English orientalist who lived in Egypt a hundred years ago summed up the attitude there prevailing, in these words :

"They (the Jews) are held in the utmost contempt and abhorrence by the Muslims in general."<sup>5</sup>

4. With the spread of European influences in the Orient at the beginning of the last century a change for the better set in. The domination of religion in the life of the Moslem peoples gradually weakened, and the first attempts were made at democratic reforms.

In the famous proclamation of the Ottoman Sultan in 1839 (Hatti Sherif of Gulkhane), non-Moslems were for the first time promised equal status before the law. In the legislation of the other Moslem countries similar provisions were introduced, mainly during the present century.

<sup>2</sup> Cf. "Non-Muslim Subject of the Caliphate," by A. S. Tritton.

<sup>3</sup> Koran, Sura 5, verse 82 (according to the King Fuad Edition, Cairo, 1347, transl. G. Sale).

<sup>4</sup> Professor Hitti, the Arab representative, in his evidence before the Anglo-American Committee of Inquiry, admitted that the Moslem law requires Jews and Christians to recognise the superior status of the Moslems.

<sup>5</sup> E. W. Lane: "Manners and Customs of the Modern Egyptians" (first published in 1836), London-New York, 1936, p. 559.

[illegible]



At the same time, the Western Powers protected Jews and other minorities. It appeared as if a period of emancipation had dawned for the Jews of the Orient.

5. The first obstacle to such a development was the abnormal economic structure of the Jewish communities. While the overwhelming majority of the Moslems in these countries live in villages and small towns and are engaged in agriculture, the Jews are concentrated in the cities, their chief occupations being trade, handicrafts and, in some countries, the liberal professions. Some of these pursuits are, or were, a virtual Jewish monopoly, a situation that aroused envy and hatred among the Moslems. The progress of the Eastern countries, and their rise to independence, led to the penetration by Moslems, with official support, into vocations which had until then been in the hands of the Jews and other minorities. On the other hand, Jews so displaced were unable to find employment in other walks of life. Government posts are closed to them in most Moslem countries. An unofficial *numerus clausus* operates against the Jews in many secondary schools and universities, although the proportion of the educated among the Jews is much larger than among the Moslems. In some Oriental countries industry owes its development largely to the initiative of the State, which, as a rule, excludes Jews. A relatively small class of merchants has benefited from the general economic progress, and especially from wartime prosperity, but even their position is precarious.

6. Apart from the economic differences, the Jews are separated from their Moslem neighbours by religious and cultural barriers. Religion continues to play a decisive part in the life of Oriental Jews. Moslem schools, and for that matter Arab Government schools, do not appeal to Jewish parents in view of their relatively low level and their atmosphere of hostility to non-Moslems. The trend in the Jewish communities has therefore been to send children to Jewish schools, either local or those of the *Alliance Israélite Universelle*, or to the European schools of foreign missions. While the young educated Jews thus began to speak French, the common folk preserved their traditional languages—peculiar Arab or Persian dialects, or Ladino (old Castilian). In the cultural life of their Moslem neighbours the Jews took little or no part.

7. But the most serious obstacle to Jewish emancipation has been Moslem hostility. The spirit of Western liberalism—equality of rights for all citizens regardless of race or creed—has never penetrated beyond a small class of educated Moslems. Even amongst them other trends militate against it. In the struggle against foreign rule, a crude nationalism has emerged, which has to some extent fused with traditional religious fanaticism. The militant strain in the Islamic religion, with its emphasis on the *jihad*—the holy war—assisted this process. An

example is the Moslem Brotherhood Association (Ikhwan al Muslimin), one of the largest organisations in the Moslem world, whose doctrine is a blend of religious and national intolerance. The growth of democratic and parliamentary systems has also been inhibited by the social backwardness of the feudal or semi-feudal regimes. Nazi propaganda found a fertile soil. It checked incipient liberal tendencies and strengthened anti-Jewish feeling.

8. These trends result in a general discrimination against non-Moslem minorities, but in many Arab countries it is the Jews who are primarily affected, owing to the defenceless position. In recent years Zionism has provided an additional slogan for anti-Jewish agitation. Arab leaders frequently emphasise that their opposition is directed only against the Zionists and not against the Jews generally. The heads of Arab Governments emphasise on every possible occasion the alleged difference between Jews and Zionists, and declare that their struggle is directed exclusively against the latter. The anti-Jewish riots, however, that have broken out from time to time in Arab countries show that the mass of the population does not appreciate this imaginary distinction, the unreality of which is now admitted in the Arabic press<sup>6</sup> and by leaders connected with the Arab League.<sup>7</sup> The measures taken by the Arab Governments to prevent Jewish emigration to Palestine, and the boycott they have declared against Jewish industry in Palestine cannot fail to react adversely on the Jews of the Arab countries, who are being accused of helping the Zionists. Since the Western Powers have recognized the independence of these countries, the Jews are completely at the mercy of the Arab Governments, which regard them as hostages for the Palestine Arabs.

#### Syria

9. The Jews of Syria are steadily migrating to Palestine or the Lebanon. Of the 10,000 to 11,000 Syrian Jews, between 7,000 and 8,000 live in Aleppo. Only about 2,500 still remain in Damascus, where only 20 years ago the Jewish community numbered over 10,000, while about 500 Jews live in Qamishli and the Al-Jazirah district. As a result of the political conflicts and the persecution of minorities in Syria in recent years, particularly in 1945, many Jews as well as Christians have moved to the Lebanon, where the Jewish population has increased to 6,000—7,000, who nearly all live in Beirut.

10. Syrian Jews are subject to numerous disabilities. No Jew can obtain

<sup>6</sup> For example, "Al-Ikhwan Al Muslimum" (Cairo), 22nd December, 1945.

<sup>7</sup> Cf. "Akhr Sa'ah" (Cairo), 6th January, 1946.

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11. The tendency to treat the Syrian Jews as hostages is illustrated by the following reports. In October, 1945, at a meeting of Islamic religious leaders in Damascus, presided over by the Mufti of that city, it was resolved to send a telegram to the Allied Governments warning them that a Holy War against the Jews would be declared in all countries of Islam if Jewish immigration into Palestine were to continue. In the same month, Sheikh Mustafa Al-Siba'i, leader of the Young Moslems' Association, ascended the pulpit of the Umayyad Mosque in Damascus after the Friday prayers and delivered a sharp anti-Jewish speech. "If the Palestine problem is not solved in favour of the Arabs," he declared, "the Arabs will know how to deal with the Jews living in their countries."

12. Under this pressure, the Jews of Syria have been forced to dissociate themselves from their brethren in Palestine. On November 2nd, 1945, the heads of the Jewish communities in Damascus, Aleppo and Al-Jazirah, were actually compelled to participate in the demonstrations against the Balfour Declaration, while Jewish shopkeepers were made to close

\* Apart from the measures affecting Syrian Jews, disabilities have been imposed on Jews generally: instructions have been issued to all Syrian Consulates not to grant entry visas to Jews, whatever the purpose of the visit, and the most rigorous measures are applied to prevent the transit through Syria of Jewish immigrants to Palestine.

their shops as a sign of solidarity with the Moslems.<sup>9</sup> The state of fear to which such intimidation can reduce a Jewish leader may be gauged from the telegram sent by the rabbi of the Jewish community of Al-Jazirah (Rabbi Moshe Nahum) to the President of the Republic protesting against the opening of the gates of Palestine to Jewish immigration.<sup>10</sup> When a Palestine news agency published a report of the oppression of Syrian Jews, the head of the Jewish community of Damascus thought it wise to deny it.

13. The incitement against the Jewish community of Syria is now bearing fruit. On Victory Day, in May, 1945, anti-Jewish feeling ran high in Damascus and the police had to prevent the demonstrators from breaking into the Jewish quarter. During the disturbances at the beginning of June, 1945, Jacques Franco, Assistant Headmaster of the *Alliance Israélite Universelle* School in Damascus, was murdered in broad daylight. On November 18th, 1945, on the Moslem holiday of Qurban Bayram, a Syrian mob headed by students broke into the Great Synagogue of Aleppo, smashed the memorial candles burning before the Holy Shrine, beat up two old Jews reading in the synagogue, and burnt prayer books in the street.

*Lebanon*

14. The Jews of the Lebanon enjoy greater liberty than their brethren in Syria, although the ruling faction among the Lebanese Christians strives to prove its loyalty to the pan-Arab cause by outdoing the Moslems in its opposition to Zionism. Accusations similar to those prevalent in Syria are levelled against Jews in connection with assistance to illegal immigrants crossing into Palestine. The entry of Palestinian Jews into the Lebanon is virtually prohibited, as is the transit of Jewish immigrants into Palestine. In connection with the boycott, attacks have been launched in the Lebanese press against local Jews who, because of their commercial connections with Palestine, are branded as Zionist agents. The Jewish youth organisations "Maccabi" and "Bnei Zion" in Beirut have been accused of smuggling Jews into Palestine and engaging in Zionist activities.<sup>11</sup> As a result of this incitement the "Maccabi" sports society was forced to sever connections with its head office in London.<sup>12</sup>

15. Despite the usual declarations by Lebanese leaders regarding the distinction between Zionists and Jews, the Lebanese Jews are living in constant fear. On the approach of the anniversary of the Balfour De-

<sup>9</sup> Arab News Agency, November 3rd, 1945.

<sup>10</sup> "Falastin" (Jaffa), October 24th, 1945.

11 "Al Diar" (Beirut), October 15th and 17th, 1945.

<sup>12</sup> "Al Alam Al Israeli" (Beirut), November 30th, 1945.

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claration in 1945, the council of the Jewish community in Beirut was compelled to visit the Minister of the Interior to express their loyalty to the Lebanon and to disclaim any connection with Zionism. In return for this assurance the Minister promised that the demonstrations on November 2nd would pass off quietly.

### *I r a q*

16. Of the 120,000 to 130,000 Jews of Iraq, about 100,000 live in Baghdad, where they represent one-quarter of the population. The remainder are in Basra, Mosul, Kirkuk and other small towns. A few thousand Jews are scattered in the villages of Kurdistan where they engage in agriculture.

17. Under the British Mandate many Jews were appointed to Government posts, for which it was difficult at the time to find suitable Moslems, and some even held ministerial positions. In the revival of commercial life in Iraq following on the liquidation of the Ottoman rule Jews played a prominent part. This liberal regime served a double purpose. It proved the availability of local talent for full self-government and testified to the tolerant attitude towards the minorities. No sooner was independence attained, however, than the trend was reversed. Aggressive nationalism waxed stronger and found its first expression in the Assyrian massacre (1933). After King Feisal's death in the same year the position of the minorities in Iraq began to deteriorate. In later years, and particularly during the war, the activities of Syrian and Palestinian teachers, and the agitation conducted by the Mufti of Jerusalem and his clique, who had escaped to Iraq, caused the people to turn against the Jews. This agitation culminated in violent anti-Jewish riots in June 1941. After the flight of Rashid Ali and his followers from Baghdad, and before the British troops entered the city, the populace rose against the Jews. Over 120 were killed, many hundreds wounded, and there was widespread looting of Jewish houses and shops.

18. It is true that the Iraqi constitution assures full equality of rights to the Jews, as to other minorities. They are accorded representation in the Parliament, and the status of the local Jewish communities is officially recognised. In point of fact, however, the authorities have consistently removed Jews from important posts. As far back as 1937, an American observer wrote of "widespread opposition to the employment of any but Iraqis professing Islam. ... Although members of these (non-Moslem) communities have been employed especially in posts attached to the Financial and Technical Departments, the tendency seems to have been to retard their advancement ... or to eliminate them as far as pos-

sible from Government service, a trend which has been more apparent in recent years." <sup>13</sup> Since then the number of Jews in Government posts has dwindled further. At the beginning of the reign of Feisal I, Hazkiel Sassoon served as Minister of Finance, but after him no Jew has been appointed a member of the Government. Apart from the left-wing movement, Jews play no part in political life. Only a few Jewish students are admitted to the University. There are almost no Jews in the police force, while in the army there are no active Jewish officers, apart from a number of physicians. In commercial life, too, the Government discriminates against the non-Moslems, allocating only a very limited number of orders and licences to non-Moslem firms.

19. While the Iraqi authorities plainly show that they are not prepared to treat their Jewish subjects as citizens of equal rank, they are equally averse to granting the Jews any cultural autonomy. Jewish schools, though under strict Government control, receive practically no State subvention. Only a very limited number of lessons is allocated to the study of the Bible and the prayers. In 1935 the teaching of the Hebrew language in those schools was prohibited. In vain did the Jewish community in Baghdad argue that without a thorough knowledge of the Hebrew language the Holy Scriptures could not be taught.

20. Zionist activities of any kind are, of course, strictly forbidden and considered as high treason. The Iraqi Jews even avoid correspondence with their relatives in Palestine for fear of coming under suspicion. The complete paralysis of Jewish public life is shown by the fact that this large community does not publish a single newspaper of its own.

Under constant pressure, the heads of the Jewish community of Iraq submit to all calls made on them by the Government for anti-Zionist declarations or demonstrations. A "League for the Struggle against Zionism" set up in 1945 by a group of young Jews, most of them Communists, was welcomed and encouraged by Iraqi leaders.

21. The memory of the pogrom of 1941 still haunts the Jews of Iraq. They all feel that in certain political circumstances such outrages are likely to recur. The only effective way of escape from oppression is emigration to Palestine, but this is barred by the Iraqi Government. For fear that they might go to Palestine, Iraqi Jews are not as a rule allowed to leave the country at all. If a Jew succeeds, after many difficulties, in obtaining a passport, it is stamped, "Not valid for journey to Palestine." When in exceptional cases, such as for medical treatment, permission to visit Palestine is given, an amount of 5,000 dinars (pounds sterling) has to be deposited as a guarantee for the traveller's return. Foreign Jews, even of U.S. nationality, are denied entry and transit.

<sup>13</sup> "Iraq," Ph. W. Ireland, London, 1937, p. 436.

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**Yemen**

22. The Jews of Yemen, who for hundreds of years have been cut off from direct contact with the centres of Jewish life, have nevertheless preserved their religion and culture in a remarkable manner. The first reports of the return of the Jews to Palestine in the early eighties aroused among the Jews of Yemen an intense Messianic urge, and during the past 60 years there has been a steady immigration of Yemenite Jews to Palestine. Over one-third of Yemenite Jewry now live in Palestine.

23. The number of Jews remaining in Yemen is estimated at 40,000, of whom 7,000 to 8,000 live in San'a, the capital. For years there has been a continuous trek of Yemenite Jews to Aden, which is to them the gateway to Palestine. About 4,000 Yemenite refugees are now in Aden and its vicinity, living under most trying conditions and impatiently awaiting immigration permits to Palestine.

24. The position of the Yemenite Jews has always been one of marked inferiority, bordering on pariah status. The Imam, the absolute ruler of the country, protects their lives and property on condition that they submit to Moslem ascendancy. The position of the Jews is exemplified by a number of humiliating customs, such as the ban on riding a horse in the towns, or carrying arms, or building houses higher than those owned by Moslems, etc. In the law courts, the evidence of a Jew is not accepted against that of a Moslem. A particularly degrading practice is the obligation of the Jewish community in San'a to clean the city latrines.<sup>14</sup> There are, of course, no Jews in the civil service, the police or the army.

25. The most distressing of all anti-Jewish practices in Yemen is the compulsory conversion to Islam of Jewish orphans. According to the Yemenite laws, every Jewish child whose father or both parents have died is deemed to be the ward of the State, whose duty it is to rear and educate it as a Moslem. Even if the relatives of the child undertake to provide for it, the child is forcibly taken to an orphanage where it is converted to Islam. In order to avoid this fate the Yemenite Jews make their orphans marry at a very tender age, or more commonly they smuggle them out of the country. Anyone who assists in such escape is reported to do so at the risk of his life.

26. The economic position of the Yemenite Jews is going from bad to worse. Since the nineteen-twenties a process of "nationalisation" has

<sup>14</sup> Jews engaged in this work (the so-called "scrapers") receive a miserable wage and have to be supported by the community. When, a few years ago, the community found itself out of funds, the "scrapers" went on strike and ran away to the villages. Thereupon the heads of the Jewish community were arrested until the "scrapers" went back to work.

been going on in Yemen, one of the results of which has been the ousting of the Jews. The Government has monopolised the export trade, especially of coffee. It has also set up factories for the manufacture of textiles, soap, and other products, and forced the Jews, who are the best artisans in the country, to train Moslem workers, by whom in due course they themselves are displaced. The economic crisis during the war has further aggravated the plight of the Jews.

27. The only avenue of escape, emigration to Palestine, was for many years closed *de jure*. After the visit to Yemen in 1934 of the Mufti of Jerusalem, Amin al-Huseini, the Imam ordered the ban against the departure of Jews to be more rigorously enforced. In recent years there has been a relaxation, mainly due to the difficulty of the food situation. At present Jews are in practice able to leave Yemen; the authorities close their eyes to their flight to Aden and content themselves with confiscating their property.

28. The development of closer bonds between Yemen and the other Arab countries as a result of its entry into the Arab League, as well as the fact that the present Imam, who is of the benevolent despot type, is well over eighty, bodes no good for the Jews of Yemen.

*Egypt*

29. Egyptian Jews number at present between 70,000 and 80,000, of whom 35 to 40,000 are in Cairo, about 30,000 in Alexandria, and the remainder in Tanta, Port Said, Mansoura and smaller towns.

30. The general position of the Jews in Egypt is beyond comparison better than in any of the countries so far surveyed, but even here the last few years have witnessed a decline. During the last two generations the Egyptian Jews have lived in security and made their contribution to the country's development. Members of such well-known families as Cattawi, Moseiri, Harari, Sùares and many others have played a prominent part in trade and industry, banking and public works, as well as in agricultural development, and held important posts in Government service. This liberal period, however, seems to be drawing to a close. The winds of extreme nationalism which have begun to blow in the Arab East are shaking the position of the Jews in Egypt. Moreover, with the attainment of real independence, the overwhelming Egyptian, and particularly Moslem, majority is asserting its predominance in all walks of life and rendering the Jewish position more and more precarious. The process which has taken place in Europe is repeating itself in the East. The founding of the Arab League with headquarters in Cairo has still further clouded the outlook for Egyptian Jewry.

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371 / 61903



31. One of the reasons of the weakness of the Jewish position is the fact that only a minority of them are Egyptian citizens, the majority being either "Stateless" or foreign subjects. Under the Capitulations, the Jews, for obvious reasons, preferred the nationality or protection of a European power. When that regime came to an end, many Jews applied for Egyptian citizenship, but this was granted only in rare cases. Stateless Jews live in perpetual uncertainty. For travel abroad they are given a *laissez-passer*, but only very reluctantly, and their re-admission to Egypt is an act of grace; the threat of expulsion is ever-present.

32. Inasmuch as most Egyptian Jews are not Egyptian nationals, they are seriously affected by the anti-foreign tendency prevalent in the law and practice of the Egyptian Administration. It is extremely difficult nowadays for a non-Egyptian national to obtain a licence to open a new business. Jewish firms find themselves constrained to take in Egyptian partners so as to obviate official obstruction. A recent order, justified as it may be on its own merits, that commercial firms must keep their accounts and conduct their correspondence with the Government in Arabic, is a serious handicap for Jewish businessmen and clerks, most of whom have only an imperfect knowledge of that language. There are practically no Jews in Government employment. Egypt is faced generally with the serious problem of finding employment for its growing white-collar proletariat. The Jews are naturally the first to be crowded out.

33. Nevertheless the Egyptian Jews have so far been able to maintain themselves in economic life, but their position is now in jeopardy as a result of the increasing political agitation against them. Fanatical Moslem organisations, such as the 'Moslem Brotherhood' (Ikhwan Al-Muslimin), and Fascist organisations, such as "Young Egypt" (Misr Al Fatat), indulge in open incitement against the Jews. About three weeks before the November riots, the latter association called upon the Jews formally to dissociate themselves from Zionism and repudiate its aspirations. The association threatened that a refusal would be regarded as an act of hostility against Egypt and all Arab countries. Anonymous threatening letters to the same effect were sent to the Chief Rabbi and other Jewish leaders. This incitement bore fruit. On the 2nd of November, 1945, a protest strike against the Balfour Declaration was proclaimed for the first time in Egypt. Jews and foreigners alike were forced by the crowds to close their shops. The rabble paid no heed to the artificial distinction made by the Egyptian leaders between Jews and Zionists; they assaulted the Jewish quarters indiscriminately. A number of synagogues were destroyed; Scrolls of the Law were burned in the streets in Nazi fashion; many Jewish shops were looted. At the same time churches and shops belonging to non-Jewish foreigners were also attacked.

The head of the Sufi sheikhs challenged the Chief Rabbi in an open letter to identify himself with the opposition to Zionism. Yielding to pressure, the Jewish leaders produced the usual disclaimer. The grave anti-British riots in Cairo and Alexandria of February and March, 1946, have revealed that the November riots had been but an initial outburst of the upsurging of xenophobia, of which the Jews were the first, because the easiest, target.

### Libya

35. In Libya there are at present about 30,000 Jews, two-thirds of whom live in the city of Tripoli and the remainder in Benghazi (about 3,000), Homs, Zlitan, Zawia and other places.

36. Under the Italians the Libyan Jews were granted full equality of rights and the Jewish communities enjoyed internal autonomy. Even the Fascist racial laws were not fully applied. During the war, the Jewish men of Tripoli were conscripted by the Axis for forced labour, while all the Jews of Benghazi were sent to a concentration camp in Giado, where a large number of them died as a result of ill-treatment and disease. The Allied armies were hailed by the Jews as liberators. Their enthusiasm was all the greater as the victorious British Forces comprised a considerable number of Palestinian-Jewish units. The Jews were given back their civil rights, although the occupation authorities did not regard their national awakening with sympathy.

37. For many decades relations between the Jews and the Arabs of Tripolitania had been friendly, and except for the usual local quarrels, there was no friction between the two communities. But the anti-Jewish propaganda conducted by the Arab League found a response also in Tripolitania and its press. An important role in this campaign of incitement was played by the Egyptians who came to Tripoli as officials of the British occupation authorities and as teachers and businessmen. Two days after the pogroms in Egypt, on November 4th, 1945, false rumours were spread in Tripoli to the effect that the Jews had murdered the Mufti and the Kadi, and had burned down the Moslem law courts. Organised Moslem crowds attacked the Jewish quarter. In the riots in Tripoli and at other places (Zenzur, Zlitan, Zawia, etc.) between the 4th and 7th of November, more than a hundred Jews, including women and children, were brutally murdered. Many houses, shops and synagogues were looted and burned. The damage caused to Jewish property is estimated at several million Italian lire.<sup>15</sup> The tension has not subsided to this day. The great majority of the Libyan Jews are anxious to emi-

<sup>15</sup> It will be recalled that barely a year ago Tripolitania was still being canvassed as a second Jewish National Home.

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grate. Many, particularly French nationals, are leaving for Tunisia in the hope of being able to proceed to Palestine.

### *French North Africa*

38. The number of Jews in French North Africa is estimated at between 360,000 and 390,000. Of these, 70,000 to 80,000 live in Tunisia, about 120,000 in Algeria, and 170,000 to 190,000<sup>16</sup> in French Morocco (in Spanish Morocco and in Tangier there are at present about 30,000 Jews).

39. In all these countries the Jews live between the anvil of the French officials and settlers, anxious to maintain their supremacy, and the hammer of the millions of Berbers and Arabs, striving either to free themselves from foreign rule (in Morocco and Tunisia) or to attain equality of rights (in Algeria). Thanks to the network of the *Alliance Israélite Universelle* Schools, the proportion of Jews with a knowledge of French and a European education is higher than that of the Moslems. Even before the war anti-Semitism was widespread among the French bureaucracy, as well as among the French settlers who feared Jewish competition. Upon the outbreak of the war many Moroccan Jews offered to enlist in the French army, but the French authorities advised them to join the Foreign Legion. Under the Vichy regime the position of the Jews deteriorated sharply. They were eliminated from official positions and from most of the professions, and various disabilities were imposed upon them. Although these laws were repealed after the liberation of North Africa, their effect is still perceptible.

40. The attitude of the Moslems of North Africa towards their Jewish neighbours has so far been relatively tolerant. Nevertheless, "the antagonism between Moslem and Jew that dates from the time of the Prophet himself has never died down, and this mutual dislike is a factor to be reckoned with in any judgment of the situation in Barbary."<sup>17</sup>

The strengthening of the bonds between the Arabs of these countries and the Arab League is liable to create new dangers for these Jewish communities.

### *Tunisia*

41. The Jews of Tunisia are concentrated particularly in the capital and in the towns of Sfax, Sousse, Gabes, Bizerta, etc. On the island of Djerba

<sup>16</sup> No reliable statistics are available regarding the number of Jews in Morocco. In the latest census only the subjects of the Sultan were included under the heading "Jews;" those who are not in that category, as well as thousands of Jews in Southern Morocco who have in recent years flocked to the towns, were left out.

<sup>17</sup> "North Africa," Alan H. Brodick, Oxmord University Press, 1942, p. 18.

there is an ancient Jewish community, whose members are strictly orthodox and observant of Jewish traditions. They engage in agriculture and fishing and also possess centres of Jewish learning. The majority of the Tunisian Jews are traders. For some decades there has been a strong Zionist movement in Tunisia, but since the time of the Popular Front Government in France, Communism has competed with the Zionist movement. Apart from a minority of French nationals, the Jews of Tunisia are the subjects of the Bey, who allows them a wide measure of autonomy in their internal affairs.

### *Algeria*

42. On the other hand, the Jews of Algeria, which has the status of a *Département* of France, obtained French citizenship under the Crémieux Law of the 24th October, 1870. Very few Moslems did so, because it entailed the acceptance of French civil law, which is at variance with the Islamic law in matters of personal status. The Moslems have always envied their Jewish compatriots, most of whom live in the cities of Algiers, Oran and Constantine. In August, 1934, the tension between the two communities resulted in anti-Jewish riots in Constantine and its vicinity, in the course of which the Moslems killed 25 to 30 Jews, and looted many Jewish houses. Under the Vichy regime, the Crémieux Law was revoked, and the Jewish officials, of whom there was a considerable number in Algeria, were dismissed. When the country was liberated, the Jews were given back their French citizenship, after some hesitation, and the first steps were taken to enable the Moslems also to register as French nationals.

### *Morocco*

43. The most backward Jewish community in North Africa, the Jewish community in Morocco, broke through the confines of the ghetto only a generation ago. Up to the present, a large part of the Jewish population lives in the Mellah (ghetto) of the cities of Casablanca, Marakesh, Meknes, Fez, Rabat, etc., under conditions of great poverty. Most of them are artisans, shopkeepers and hawkers. Jews are not eligible for employment in the French civil service because they rank as "natives," being mostly subjects of the Sultan of Morocco. At the same time there are almost no Jews in the Sultan's administration. The authorities do not favour the establishment of an official Jewish representative body. Only local Jewish communities are sanctioned, which function under the supervision of the *Inspecteur des Institutions Israélites*. These communities

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371 / 61903

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enjoy only a very limited measure of autonomy and are unable to do much to raise the social and cultural standards of their members.

*T u r k e y*

44. Of the 65,000 to 75,000 Jews in Turkey, between 40,000 and 50,000 live in Istanbul and the remainder in Smyrna, Adrianople, Ankara, Bursa, Adana and other towns. Here the Jewish problem is merely a part of the larger problem of the non-Moslem minorities (Jews, Greeks and Armenians), all of whom are subject to disabilities. Even such a true friend of the new Turkey as D. E. Webster could not but record "the failure to accord absolute equal civil rights to minority peoples."<sup>18</sup>

45. Atatürk had intended to set up a modern secular state in which all citizens would enjoy equal rights, regardless of race or creed. In reality, there is no such equality in modern Turkey. The Jews—like other minorities—have no share in political life. They are not admitted into the People's Party, which was till the end of 1945 the only party in Turkey. There is hardly a Jew in the civil service or in the numerous economic institutions established by the State (banks, industrial enterprises, etc.). When, for example, several years ago the Government acquired the electric corporation of Istanbul from its Belgian owners, it dismissed all Jewish employees with the exception of one or two indispensable experts. In the army, discrimination against members of minority groups is the invariable rule. "Although Christian and Jewish citizens must perform the same term of service as others, they are assigned to menial tasks. Even young men of the greatest ability fail to pass the examinations for advancement into the officers' training school, if they are not of the Faith." <sup>19</sup>

46. The same rule appears to hold good in economic life: "During the centuries while the business of the Turks was politics and the business of the Jews was business, there was no conflict. Now that the Turks are becoming commercially conscious and ambitious, a degree of tension has developed—a minority problem in the sociological sense—for while the Jews are not a tenth of the population in the principal commercial centres, their number exceeds ten per cent of the business population. In the summer of 1934 the strain reached a point at which a hundred Jews fled from Edirne (Adrianople) to Istanbul."<sup>10</sup> In the sphere of private business no less than in State-controlled enterprise, the minorities encounter ever-increasing difficulties. The semi-official trade associations (*Birlik*), which issue import and export licences and control prices,

<sup>18</sup> "The Turkey of Ataturk," D. E. Webster, Philadelphia, 1939, pp. 280-281.

19 Ibid.

discriminate, though not overtly, against all non-Moslems. Contracts for public works are given mainly to Moslem firms.

47. At the end of 1942, a special measure was adopted which clearly aimed at a complete elimination of the minorities from commercial and professional life. This was the one-time property tax, or capital levy, known as *varlik vergisi*. Although theoretically imposed in equal measure on all Turkish subjects, it was in practice levied at only a nominal rate from Moslems, whereas the non-Moslems had to pay such exorbitant amounts that in many cases they had to liquidate their businesses completely in order to realise the sums due. Even so, many found their assets insufficient to cover the extortionate tax. The penalty for default under the *varlik* law was forced labour in special camps established in Eastern Anatolia. Actually, only Greeks, Armenians and Jews were sent to these camps. As a result of the tax, many non-Moslem businesses passed into the hands of Moslems or the State, and complete economic ruin threatened the minorities. Only war prosperity enabled them to find their feet again.

48. As a result of the operation of the present regime, Jewish communal life is almost completely stifled. The local Jewish communities are allowed to deal only with religious and welfare matters, and administer the few Jewish schools and hospitals left, under the strict supervision of the State. Zionism has been outlawed, not because of any specific opposition to it, but as a result of the all-round ban on independent political activity and on any form of association involving international affiliations. In the latter respect, the Zionist movement has shared the fate of Freemasonry.

49. In response to current international developments, a tendency towards some measure of democracy set in in recent months. It has found expression in the extension of the freedom of the press, the establishment of an "opposition party" and other measures. In this connection, for the first time in the history of the Turkish Republic, two young Jews were admitted to the military academy (Harbiye), while several Jewish clerks were engaged by the State banks. Undue importance should not be attached to these innovations. In January, 1946, a British newspaper published in Egypt summed up the plight of the minorities in Turkey as follows: "Reports by Greeks, Armenians and Jews all agree in one respect. These minorities prefer emigration to economic ruin or social humiliation as outcasts."<sup>20</sup>

50. It is, indeed, hardly surprising that during the war the demand for immigration permits from Turkey grew steadily and that the Jewish youth of that country, of whom many are already in Palestine, is imbued with a strong Zionist feeling and determination to settle in Palestine.

<sup>20</sup> "Egyptian Gazette" (Cairo), 4th January, 1946 ("The Minority Policy in Turkey").

[illegible]

## Iran

51. The 80,000 to 90,000 Jews of Iran are largely concentrated in the cities of Teheran (about 20,000, half of them living in a ghetto), Shiraz, Ispahan, Hamadan, etc.

52. For centuries past, the Jews of Persia suffered bitter persecution. Shi'ite Islam, which is the religion of most Persians, had little tolerance for the Jews; they were considered as unclean and practically untouchable. In 1839, the Jews of Mesh'hed, in the north-east of Iran, were forced to embrace Islam by threat of wholesale massacre. To this day their descendants live as "Marranos," publicly professing Islam but secretly observing Jewish religious practices. The Jews of Iran were not able to set up independent institutions of their own to the same extent as the Jewish communities of the Ottoman Empire, which enjoyed a wide measure of communal autonomy (the *millet* regime). It is true that Riza Shah Pahlewi broke the power of the fanatical Shi'ite clergy, but the nationalist spirit which has developed in recent years is no more favourable to the Jews and the other minorities than Islamic fanaticism. "Anything that helps to increase national unity is encouraged and anything that tends to divide it is suppressed. So while unorthodoxy of a nationalist character is welcomed, religions which are neither Islamic nor Iranian fare less well. Armenians, Assyrians and Jews all come in for their share, if not of persecution, at least of unpopularity. Minority clubs and societies are generally forbidden though their religious organisations are as yet untouched, and, although they do not actually suffer from any disabilities, members of these groups rarely seem to reach high office."<sup>21</sup>

53. This situation did not change materially after the occupation of Iran by the Allied armies and the dethronement of the dictator Shah. Except for a few Jewish officials in the postal and customs departments, there are scarcely any Jews in the Iranian administration.

54. The economic structure of Persian Jewry is peculiar. There is almost no Jewish middle class. The establishment by the former Shah of government monopolies in various trades has seriously affected the economic position of the Jews. Except for a small group of wealthy Jews in Teheran (hailing partly from Iraq and partly from Europe), the masses of Jews live in abject poverty, under appalling housing and sanitary conditions, deprived of any social or cultural amenities. Palestine is the only ray of hope in their life. Emigration to Palestine spells to them not merely salvation from the ever-present threat of persecution, but escape from most degrading economic and social conditions. While such escape is merely a hope, Jewish youth is being increasingly attracted to the new left-wing movement.

<sup>21</sup> "Modern Iran," L. P. Elwell-Sutton, London, 1942, pp. 145-146.

## Afghanistan

55. In Afghanistan, Iran's neighbour, there remains today only a small Jewish community of 3,000 to 4,000 souls, who live in Kabul, the capital, and Herat. Only twelve years ago, Jews were still found in all parts of Afghanistan, but after the assassination of Nadir Shah in November, 1933, they were suddenly expelled from Andkhui, Mazar-i-Sherif, Maidana and other towns, and concentrated in the ghettos of the former two cities. The expulsion was effected with brutal force, most of the Jews being robbed of their possessions, especially of their immovable property. Up to the present Jews are not permitted to travel to any part of the country except by special permission.

56. A further blow was dealt to the Jews of Afghanistan when the Government introduced its new economic policy. In 1933 monopolies were established in most branches of trade. The Government founded joint stock companies, and gave their shareholders the exclusive right to engage in particular trades. Its object was to eliminate all "middlemen" and ensure that all profits made should accrue to the Government or the share-holders.<sup>22</sup> Of the Jewish traders, only about a hundred were allowed to register as partners or share-holders in the companies. Today the economic situation of the Jews of Afghanistan is deplorable. Many are reported to live on the verge of starvation.

57. Disabilities abound. No Jew is employed as a government official or in the police forces. In the army, Jews are employed only for menial duties. Every Jew must pay the head-tax (*jizyah*) imposed on all infidels, and the payment of this tax is accompanied by humiliating ceremonies. Nazi propaganda has intensified the hatred of the Jews. The only way out for Afghani Jews is emigration. At present there are about 1,000 Afghani-Jewish refugees in India (most of them in Bombay), where they are awaiting permits for Palestine. Their position is intolerable; they have neither proper shelter nor means of livelihood. Many of the children have died from infectious diseases. They cannot return to Afghanistan, for their offence of unauthorised emigration renders them liable to severe penalties.

<sup>22</sup> Cf. "A History of Afghanistan," Sir Percy Sykes, London, 1940, Vol. II, p. 330.

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182 A

# Conclusion

58. The position of most of the Jewish communities in the East is characterised by a regime of disabilities and by a state of political and economic insecurity. They are denied an effective equality of rights and are at every step made aware of their inferiority. Their precarious status drives them to seek foreign support. When they do so, they are branded as disloyal. While their assimilation is even less practicable than in the West, they do not enjoy even a vestige of that liberty of national Jewish life which is considered a matter of elementary right in the English-speaking countries and in liberated Europe. They are denied freedom of expression and affiliation, and their conscience is continually violated by the pressure of hostile public opinion and by Government coercion. Anti-Jewish outbreaks, though of limited scope and infrequent occurrence, are a stern reminder of the ever-present danger. The Jewish catastrophe in Europe has revived and intensified the old fears. The attachment to Zion, deeply imbedded in the religious tradition, is re-vitalised by the message of New Palestine. It is particularly strong among the poorer classes and the youth. The growing menace of the anti-Zionist movement makes the evacuation of all those who seek salvation in Palestine particularly urgent.

59. The emigration of Oriental Jews to Palestine has been continuous. In fact, a larger proportion of Oriental Jewry migrated to Palestine in the pre-war period than of the Jewish communities in the West. Within the last few decades, Palestine has absorbed about one-half of Syrian Jewry and nearly 40% of the Jews of the Yemen. During the war, immigration from Turkey has assumed considerable proportions, and as soon as North Africa was liberated, immigration from those countries was resumed. Jews from Iraq and Persia have trekked on foot and used all sorts of devious ways in order to reach Palestine. In Egypt, serious organisation and training work for Palestine among the Jewish youth is in progress, and throughout the Orient—from Morocco to Teheran, and from Istanbul to the Yemen—the urge to settle in Palestine and the practical preparations towards that end are growing. The only alternative focus of hope and devotion for the Oriental Jewish youth is the Communist movement. If the writing on the wall is to be heeded, then the needs of Oriental Jewry, as regards both magnitude and urgency, must be assigned their due place in the present consideration of the problem of Jewish immigration into Palestine.

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185

# JEWISH ECONOMIC DEVELOPMENT FACTS AND PROSPECTS

JERUSALEM, 1947  
THE JEWISH AGENCY FOR PALESTINE  
INFORMATION OFFICE

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JEWISH ECONOMIC DEVELOPMENT:  
FACTS AND PROSPECTS

Part A: Background

(i) Introduction

THE process of the absorption of Jewish immigration set in on a large scale in the twenty years between the World Wars. This was a period of world economic crisis marked by a decline of world trade and shrinking capital investments, an almost complete cessation of migration owing to prohibitive restrictions, the slowing up of production, violent currency and price fluctuations, restrictions on the transfer of capital and widespread unemployment. The Jewish colonisation venture proceeded, to say the least, without the active support of the Mandatory. The question whether and in what measure it succeeded must be judged by reference to three tests which determine the economic development of any country:

- (a) the increase of production;
- (b) the consumption of commodities;
- (c) national wealth and the investment of capital —

all in their relationship to the increase of population.

(a) Increase of Production

2. If production increases concurrently with the increase of population, then the added population is successfully absorbed, and the economic standard of the country is at least not lowered. If the increase of production exceeds that of population, the *per capita* rate of production will be higher and the standard of living will rise.

3. The growth of population in Palestine derives from two sources: natural increase and immigration. While the Jewish population has grown mainly by immigration (net immigration for 1930/39 was approximately 237,000), Arab increase is chiefly the result of the excess of births over deaths.

4. According to Government figures, the settled population of the country increased from 649,000 in 1922 to 1,435,000 in 1939. The Jewish population increased from 84,000 in 1922 to 445,000 in 1939, and the non-Jewish from 565,000 to 990,000. Thus the growth of the total population by both natural increase and immigration amounted to 786,000, i.e. a total increase of 120%, the increase of the non-Jewish population itself being 73%.

194

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5. Production figures, on the other hand, show that the increase in the main branches of production exceeded in varying degrees the increase of population during the two decades 1920/40. This is proved by the comparison of the *per capita* production of the gainfully occupied population at the beginning and the end of this period. Gross production per earner rose in agriculture from £P 24 in 1930/32 to £P 39.400 in 1937/38, and in industry from £P 104 to £P 247—an increase of 60% and 137% respectively. The total gross *per capita* production of the settled population increased by 167%.

(b) *Consumption of Commodities*

6. A computation of the consumption of commodities in the inter-war period, by both Jews and Arabs, based on figures of imports and production, shows that the per capita consumption of the settled population increased from £P 3.700 in 1920/22<sup>1</sup> to £P 13.450 in 1928/30 and to £P 17.100 in 1927/38. Thus the index of *per capita* consumption rose from 100 to 155 and 197, respectively. An analysis of these figures proves that the rise of production and consumption standards was by no means confined to the Jewish sector, but that the Arab population also made marked progress.

(c) *National Wealth and Investment of Capital*

7. In 1922/33, £P 80,000,000 was invested by Jews in land, agriculture, building, industry, transport, etc. Import figures of agricultural and industrial equipment per head show an access of capital equipment unprecedented in Middle Eastern countries during so short a period.

8. Statistics of the capital assets of the country as a whole in 1920/22 and 1939 show an increase in the aggregate index from 100 to 501 and a rise in the *per capita* index from 100 to 231. The computation covers buildings, citrus and other plantations and irrigated areas, live-stock, industry, roads, motor transport and railways.

9. Expansion of productive capacity offers a further illustration of the same trend. This is apparent in the index of irrigated areas, both aggregate and *per capita*, in Palestine and other Middle Eastern countries. Between 1922 and 1944 the irrigated areas increased fourteen-fold in Palestine and three-fold in Syria. The *per capita* increase was 519% in Palestine, as against 131% in Syria. In Egypt, new irrigation did not keep pace with the increase of population and the irrigation area *per capita* therefore decreased.

10. The access of agricultural and industrial equipment also indicates an expansion of productive capacity in Palestine out of line with the whole Middle East region. The *per capita* import of agricultural ma-

<sup>1</sup> Re-calculated on the price basis of 1937.

very between 1929 and 1938 almost doubled in Palestine, remained stationary in Egypt, and declined in Syria. If Palestinian *per capita* import of agricultural machinery in 1935/39 is taken as 100, the corresponding figures were 21 for both Syria and Egypt, and 10 for Iraq. The index of imports of industrial machinery, taking Palestine as 100, was: Syria—5; Egypt—4; Iraq (probably in connection with the oil industry)—16.

11. The application of the three tests thus shows that the increase of population was accompanied by a still greater expansion of production and capital resources and, therefore, resulted in a rising standard of living.<sup>2</sup>

(ii) *The Influence of Jewish Settlement on the Arab Population*

12. The most important criterion of economic welfare is demographic development. In Palestine, statistics are computed according to religion; the development of the Arab population is, therefore, most clearly reflected in the vital statistics of the Moslem community.

13. The increase of the Moslem population of Palestine has exceeded that of the Mediterranean and Middle Eastern countries to which it belongs, both geographically and ethnically.

14. Comparison with Middle Eastern countries in other respects provides additional proof of the rise in the standard of living of Palestine Arabs. The rate of infant mortality in 1921/25 was 224 (per 1,000 live births) for Egypt and 192 for Palestine (Moslem only). By 1936/37 the rate for Egypt was 203, while in Palestine it fell to 141, i.e. a decrease of 9% and 27%, respectively. In 1927/33 infant mortality in Iraq was 318 and in Palestine (Moslems only) 189. In 1939/41 it decreased to 227 in Iraq and to 133 in Palestine. In 1929/32 infant mortality in Transjordan was 209.5 and in Palestine (Moslems only) 186.9. By 1936/38 Transjordan had a rate of 195 and Palestine one of 147. Infant mortality rates for the total Moslem population of Palestine declined as follows (per 1,000 live births): 1925—201; 1932—164; 1939—121.

15. The level of the Moslem infant mortality rate in various zones, and the degree to which it fluctuated in accordance with Jewish settlement in them, strengthens the conclusion that the influence of Jewish settlement resulted in a considerable improvement in the health and hygiene of the Arab population.<sup>3</sup>

<sup>2</sup> All statistics given above are figures calculated after the elimination of the influence of price fluctuations.

<sup>3</sup> This and following statements are substantiated in the Annexes hereto.

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16. This conclusion is corroborated by the non-Jewish migration to Palestine from the neighbouring countries, recorded and otherwise, which has proceeded in spite of the marked difference between the arithmetical density of Palestine on the one hand and of Syria and Transjordan on the other, and the availability of extensive areas of cultivable but uncultivated land in Syria.<sup>4</sup>

<sup>4</sup> Arithmetical density in 1939 was 57 per sq. km. in Palestine, 14 in Syria and 8 in Transjordan. In 1935 the cultivable area of Syria was estimated at 58,740 sq. km., while the cultivated area in 1942 was only 16,891 sq. km., 28.8%. ("Cultivable" here means with existing methods, apart from large areas susceptible of reclamation.)

371 / 61903

"...We thus have the Arab population reflecting simultaneously widely different tendencies—a birth-rate characteristic of a peasant community in which the unrestricted family is normal, and a death-rate which could only be brought about under an enlightened modern administration, with both the will and the necessary funds at its disposal to enable it to serve a population unable to help itself..."<sup>6</sup>

19. Comparisons with neighbouring countries show that the economic and social progress of the Arab population in Palestine by far exceeds any comparable development in Arab states.

GOVERNMENT REVENUE AND EXPENDITURE, AND CURRENCY  
IN CIRCULATION IN PALESTINE AND MIDDLE EASTERN COUNTRIES  
(3 years' average 1936/37—1938/39)

	Revenue		Expenditure		Currency	
	£P per head	Index	£P per head	Index	£P per head	Index
Palestine	3.423	100	4.842	100	4.320	100
Egypt	2.159	63	2.211	46	1.048	24
Iraq	1.541	45	1.532	32	1.417	33
Lebanon	1.134	33	0.535	11	1.059	25
Syria	0.830	24	0.862	18		

GOVERNMENT HEALTH EXPENDITURE IN THE MIDDLE EAST 1938/39

	Expenditure per head in £P
Palestine Arabs only	0.190
Palestine total	0.165
Egypt	0.150
Iraq	0.101
Transjordan	0.063
Lebanon	0.035
Syria	0.013

<sup>6</sup> Palestine Partition Commission Report, 1938, p. 27.

INDICATIVE IMPORTS INTO PALESTINE  
AND MIDDLE EASTERN COUNTRIES  
(4 years' average 1935/38)

	Import of Sewing Machines		Import of Drugs and Medicines	
	Mils per head	Index	Mils per head	Index
Palestine	26.0	100	97.9	100
Syria	4.1	16	28.5	29
Egypt	3.3	13	26.7	27
Iraq	6.0	23	22.7	23

20. A comparison with a British colony proves that the presence of an enlightened administration cannot by itself bring about rapid and spectacular progress.

GOVERNMENT EXPENDITURE ON SERVICES  
(Per head of population)

Year	Health				Education			
	Cyprus		Palestine		Cyprus		Palestine (Non-Jews)	
	£P	Index	£P	Index	£P	Index	£P	Index
1930	0.180	100	0.115	100	0.330	100	0.138	100
1936	0.150	83	0.161	140	0.320	97	0.194	141
1938	0.170	94	0.175	152	0.320	97	0.225	163

MOVEMENT OF POPULATION

Year	Palestine Population of Moslems and Christians only	Cyprus Total Population (Christians and Moslems)
End 1943	1,159,996	393,249
Census Day 1931	848,607	347,959
Total Increase	311,389 = 36%	45,290 = 13%
Natural Increase only	291,761 = 34%	73,629 = 21%
	Net Immigration 119,628 = 2.3% <sup>7</sup>	Net Emigration 28,339 = 8%

Thus Cyprus, under a British administration similar to that of Palestine, remained a country of emigration, while Palestine became a country of Arab immigration. This is a further proof that any explanation of Arab progress in Palestine on other main grounds than Jewish development does not accord with the facts.

<sup>7</sup> Government figures are a substantial under-estimate.



(iii) *Summary of Inter-War Period*

21. The central fact of the situation is that a whole community is being transplanted to Palestine, which carries with it the requisites of capital, knowledge, skill, and purchasing power for the creation of an internal market. In other words, immigration itself has created the conditions for its own absorption. During the whole inter-war period, Palestine absorbed, according to the rather conservative official estimates, a net immigration of nearly 300,000 Jews and over 30,000 non-Jews. In addition, there was a natural increase of about 350,000 non-Jews and 75,000 Jews.

22. In the period 1922/39 Jewish immigration was accompanied by a capital import of £P 110,000,000. Besides, the rapid growths of industrial and agricultural production by 406% and 32% *per capita*, respectively, considerably raised the standard of life of both the immigrant and indigenous population. Thanks to the increase in revenue accruing from the immigrant population and the economic development of the country, the burden of taxation on the rural population was reduced by two-thirds. The improvement in the health and education of the indigenous population is exemplified by the drop in Moslem infant mortality by 28% and the increase in Arab school attendance by 84%. The indices computed in all spheres of economic life reflect the correlation between the process of absorption of immigration and the dynamic expansion of the country's economy.

23. It seemed hardly reasonable to suppose that the possibilities which were utilised with such success up to 1939 were exhausted exactly at that time. Gloomy predictions had been made in 1930, only to be disproved by subsequent developments. War experience provided a similar refutation. (See Annex 2.)

(iv) *The Economic War Effort*

24. The process of economic expansion and consolidation continued at a quicker pace during the war. Potentialities of production accumulated before the war could now be utilised to the full. The import into Palestine during the war of about £P 40,000,000 of Jewish capital up to May, 1945 made it possible to launch new economic enterprises. The transition from partial to full employment, the expansion of productive machinery and access of manpower led to a great increase in production.

25. There were two main bottlenecks in the development of the war effort of the United Nations: (a) shipping space, and (b) labour power. Increased production in Palestine freed shipping space for the transport of munitions and stores to the Middle East and other theatres, and re-

ced the claim on the labour power of other countries of the United Nations from which supplies were formerly imported for the civilian population of this country. Local industry could also make goods for the army in Egypt, Greece, Crete, and Syria.

26. Increased agricultural production was made possible by the progress of irrigation. The estimated irrigated area of Jewish mixed farming (i.e. excluding citriculture and other plantations) increased from about 25,000 dunums at the last pre-war census (1936/37) to 95,500 dunums<sup>8</sup> in 1944. In addition to the further development of existing farms, 52 new settlements were established between 1940 and 1945, some of them in desolate and sparsely-cultivated areas. Altogether, Jewish agricultural production increased by about 85% as against an approximate increase of 16% in the Arab sector.

27. Palestine industry, 85% of which was created by Jews, likewise expanded to meet war needs. The output of Jewish-owned industries increased by over 100%, the most striking advances, both in output and personnel employed, being recorded in industries vital for the war effort. Over 600 new enterprises were established during the war. New products, essential for the war effort, were introduced with the aid of the highly qualified scientists and the technical facilities available. The export of Dead Sea products was doubled. New industrial skills were acquired and new processes of considerable importance for the country's industrial future were tested out.

28. Jewish skill in construction served the war effort in many fields, both in Palestine and in other countries of the Middle East. Jewish transport was fully geared to the war machine.

All this many-sided contribution to the economic war effort was possible in spite of the fact that 26,000 men and women, including thousands of highly skilled craftsmen, had joined the fighting services.

(v) *The Soundness of the Economic Structure of Palestine*

29. It may be asked whether the economic structure thus established is, first, sound and, second, capable of absorbing new immigration. The questions of the trade balance and of unemployment are often raised in this connection.

(a) *Trade Balance*

30. An adverse trade balance is not in itself a proof of economic weakness. As in the case of Switzerland or the United Kingdom, it may be a permanent feature of the country's economic life, offset by regular invisible exports. Moreover, an adverse balance is to be expected in a

<sup>8</sup> This is physical area. The crop area increased from 30,000 to 125,000 dunums.

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country which is in the process of rapid development, and where capital import is required to assist economic expansion. Here, a lag between the capacity of home production and the needs of the growing population is inevitable. The import of machinery and raw materials has the effect of eventually reducing this discrepancy, but meanwhile consumption goods must be imported to meet the immediate needs of the population.

#### IMPORT OF AGRICULTURAL AND INDUSTRIAL EQUIPMENT

	<i>Pre-War (Average 1937/39)</i>	<i>1945</i>
	£P	£P
Agricultural Machinery ... ..	35,762	76,540
Agricultural Tools and Implements	12,559	39,381
Tractors and Motor Chassis ... ..	125,352	98,828
Pumping Machinery ... ..	53,308	8,739
Industrial and Manufacturing Machinery ... ..	307,907	169,079
Tools and Implements ... ..	49,582	36,935
Electrical Machinery for Light and Power ... ..	82,602	25,061
Machine Parts <sup>9</sup> ... ..	102,302	397,062

31. Investment in Palestine is financed by the exceptionally large influx of capital, which exceeds the difference between the value of imports and exports of merchandise. The following table shows a striking connection between Jewish investment and the adverse trade balance:

#### JEWISH CAPITAL INVESTMENTS IN PALESTINE AND PALESTINE'S TRADE DEFICIT<sup>10</sup>

<i>Year</i>	<i>Jewish Capital Investment £P 1,000</i>	<i>Trade Deficit Gross<sup>11</sup> £P 1,000</i>	<i>Trade Deficit Excluding Settlers' Effects<sup>12</sup> £P 1,000</i>
1932	3,000	5,106	4,895
1933	6,000	8,108	7,671
1934	10,000	11,683	11,184
1935	11,000	13,346	13,311
1936	7,000	9,588	9,032
1937	6,000	9,620	9,369
1938	4,700	5,673	5,332
1939	5,000	9,166	8,457

<sup>9</sup> Comprises parts of agricultural, industrial, electrical and pumping machinery, practically all for Jewish needs, and a certain quantity of machine parts destined for the Palestine Railways and Marine undertakings.

<sup>10</sup> See: Foreign-Trade Statistics of Palestine Government; Report of Palestine Royal Commission, 1937, p. 212.

<sup>11</sup> Excluding re-exports.

<sup>12</sup> The correct method of calculating the trade deficit would be to exclude settlers' effects from the imports, as no payment was made for these goods.

fact that the trade deficit is in excess of Jewish investment is to be expected, since non-Jewish investment (Arab, international and Government) has also to be taken into account.

32. The large capital imports of former years should lead to increased local production and a correspondingly decreasing dependence on foreign imports. With the development of citrus production, Palestine's exports will increase, while the import of manufactured goods for the existing population will diminish as local products replace them.

33. As to the export trade of Palestine, although still small, its vitality and tendency to expand are significant. Exports have been growing fairly rapidly in the last few years, as is illustrated by the following table, which also reflects their increased diversity, caused by the growing share of manufactured commodities in the total.

#### PALESTINE'S EXPORTS (Excluding Petrol Products)

	<i>Actual Values</i>		<i>Percentage</i>	
	<i>(Average 1937/9) Pre-War £P</i>	<i>1945 £P</i>	<i>Pre-War %</i>	<i>1945 %</i>
Citrus Fruit ... ..	3,975,050	2,085,945	74.7	15.0
Other Unmanufactured Food-stuffs ... ..	90,002	367,038	1.7	2.6
Other Unmanufactured Commodities ... ..	255,382	327,298	4.8	2.4
Dead Sea Products ... ..	322,450	904,953	6.1	6.5
Polished Diamonds ... ..	—	5,909,297	—	42.7
Other Manufactures ... ..	674,673	4,260,458	12.7	30.8
Total ... ..	5,317,557	13,854,989	100.0	100.0

Some features of this development are, of course, temporary, being due to war exigencies. Most of them will doubtless continue as permanent aspects of the country's foreign trade. The diamond industry (whose status was recognised at the London International Conference of the Diamond Industry in 1945), the increased production of the Palestine Potash Company and the exports of the Haifa Oil Refinery are by no means transient war-time phenomena. Other export industries based on skill and quality production, though established during the war, may be expected to survive the emergency.

#### (b) Unemployment

34. The unemployment situation could at no time in recent years be described as serious. In times of rapid development, an acute shortage of labour was felt, while during periods of relative slackness, Jewish unemployment fluctuated between 3,000 and 7,000, which is a manage-

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371 / 61903

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able proportion in a labour force of some 100,000. That unemployment is not a serious factor among the Arabs is shown by the Arab infiltration from the surrounding countries.

The following table, which compares the peak levels of unemployment in Palestine and other countries in the inter-war period, shows that the percentage of unemployment in Palestine, even in periods of depression, was lower than elsewhere.

<i>Peak of Unemployment (Country and Date)</i>	<i>Number of Unemployed in % of Labour Force or of Members of Unemployment Insurance Societies</i>
Belgium, January 1933 ... ..	43%
Great Britain, January 1933 ... ..	23%
Australia, monthly average 1932 ... ..	29%
Palestine Jews, average 1931 ... ..	10%
"    "    December 1939 ... ..	12%
"    "    average 1939 ... ..	7%

Note: No figures for Arab unemployment are available

## *The Relationship between Immigration and Unemployment*

35. The assumption that as long as there is any unemployment in the country, immigration is inadmissible, cannot be accepted. It derives from the so-called "lump of labour" theory which presupposes a constant and fixed volume of employment for which immigrants would compete with the existing unemployed. Theoretical considerations and practical experience disprove this theory. While immigration adds to the ranks of the employment seekers, it also adds consumers, thus enlarging the market and creating new employment opportunities.

•In the second place, if immigration is accompanied by the influx of capital, new employment is created not only for the immigrants but also for the existing unemployed. This is borne out by experience in Palestine. In 1933/35, the peak period of immigration, there was more work and at higher wages both for Arabs and Jews than at any other time.

<i>Year</i>	<i>No. of Registered Immigrants</i>	<i>Jewish Investments £P 1,000</i>	<i>Average Number of Jewish Unemployed (no figures for Arab labour available)</i>
1930	6,433	3,700	1,180
1931	5,533	3,500	2,570
1932	11,289	3,000	1,375
1933	31,977	6,000	360
1934	44,143	10,000	220
1935	64,147	11,000	1,950
1936	31,671	7,000	3,800
1937	12,475	6,000	3,800
1938	15,263	4,700	6,000
1939	18,433	5,000	7,400

• In every modern economy there is, even in periods of prosperity, a certain amount of so-called "frictional unemployment," resulting from seasonal fluctuations, and the shifting of industrial activities from one area to another.

36. Ten months after the end of the war in Europe and two years after the cessation of military orders for Palestine's factories, the country is now faced with the need to increase its industrial production. The transition to the production of goods for the civilian market has been smooth, and the only causes holding up industrial expansion are the shortage of manpower and the difficulty of importing raw materials and machinery. There is also a marked shortage of labour in Jewish mixed farming and in construction. High wages are a serious handicap to building activity.

(vi) *Achievements*

(a) *Industry*

37. Between 1923 and 1942/43 the number of Jewish industrial enterprises increased more than seven-fold; the numbers of workers in Jewish industry (excluding handicrafts) increased nineteen-fold, amounting to 45,000 in 1942/43; capital invested in Jewish industry was £P20,500,000—21 times the 1923 figure and 10 times the 1929/30 figure. Between 1929/30 and 1942/43 the gross value of annual production increased from £P 2,100,000 to £P 36,300,000, i. e. 17.5 times. The generating capacity of central power stations went up from 700 kw. in 1923 to 76,500 kw. in 1942/43. During the same period, 1923/43, electric power used in factories and workshops rose from 1,400 H.P. to 58,300 H.P. (42 times).

38. An entirely new branch of industry, diamond-polishing, established at the outbreak of the war, now employs 4,000 persons and yields a considerable and increasing dollar surplus (at present about \$23,500,000). The ready-made clothing industry, including the fur trade, which was already well established before the war, has in the meantime developed into a full-fledged fashion industry. The manufacture of tools and machinery—a branch almost non-existent before the war—became essential for the equipping of new industries. This auxiliary industry, which was important for the war effort, helps to serve the whole of the Middle East.

(b) *Agriculture*

39. Jewish agricultural settlements increased from 71 in 1922 to 265 in 1945. The cultivated Jewish area was doubled, increasing from 350,000 dunums in 1922 to 717,000 dunums in 1944. As a result of intensive

[illegible]

*(c) Taxable Capacity*

41. The basis of these developments is the proven ability of the Jews to expand Palestine's possibilities of absorption. It has been demonstrated that absorptive capacity is not a static quantity but that it varies with the quality and urgency of the human endeavour brought to bear on it. Living space is not essentially a geographic concept. What can be done on a given area of land depends ultimately on the nature of the people who live on it, or are determined to live on it. Jewish settlement has at every step illustrated the significance of a combination of skill and capital when harnessed to the progressive idea of the creation of a new society.

## Return to the Land

43. In countries where modern industrialism commenced a long time ago, the working-class emerged gradually, over a number of generations. In this long drawn out process, class and occupational delimitations have tended to rigidity. In other countries, where industrialisation and urbanisation are more recent phenomena, the working class has evolved more rapidly through a shift from village to town. The Jewish working class in Palestine has a different nature and origin. It is not an organic part of an economic structure which has evolved gradually in the course

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371 / 61903



of generations, nor is it the result of a rural community's becoming urbanised. It has come into existence through immigration, and through the occupational and class re-distribution which has accompanied the construction of a new economy.

44. Jews coming to Palestine have largely shifted from the lower middle-class to the working-class. This transition has involved a movement away from "marginal" occupations towards the more basic trades. Most Jews abroad were engaged in petty trade or in the clerical and liberal professions; many were "declassed," lacking any definite occupation. The transformation of these elements into a working-class is one of the most striking aspects of the Jewish effort in Palestine.

OCCUPATIONAL DISTRIBUTION OF PALESTINIAN JEWISH WORKERS  
AND OF THEIR FATHERS ABROAD (1937)

	<i>Workers in Palestine</i>		<i>Fathers Abroad</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Agriculture	24,419	23.4	3,904	3.8
Building	11,001	10.6	1,924	1.8
Transport and Heavy Industries	22,626	21.6	8,984	8.5
Light Industries	7,863	7.5	7,834	7.5
Traders	—	—	50,105	48.2
Factory-owners	—	—	2,398	2.3
Undefined Occupations	2,601	2.5	13,084	12.6
Others	35,612	34.4	15,889	15.3
Total	104,122	100.0	104,122	100.0

This table also illustrates the trend from town to village, which is directly contrary to what is happening in other countries. As has been shown, the purpose of this shift was to create a well-balanced social structure. Here, the national need coincided with that of the individual immigrant to enter a productive occupation, with the result that a substantial percentage of Jewish immigrants have found in agricultural pioneering the fulfilment of their own personal aspirations as well as of the national urge.

(d) *System of Settlement*

45. In the beginning, the system of agricultural settlement was one of a benevolent administration directing the efforts of the individual settlers. Gradually it gave way to one of self-determination on the part of the settlers, as regards the social and economic structure of their settlements. The colonising institutions impose no rigid or specific form of settlement, their only stipulation being that the settlers shall possess the necessary agricultural skill and experience. A variety of social forms has evolved,

changing from completely individualistic enterprises through cooperative small-holders' villages to settlements based on complete collectivism. As far as settlement on national land is concerned, the following are the prevalent features, common to almost all types:

- The land belonging to the Jewish National Fund is leased to the settlers for a period of 99 years with optional renewal. It cannot form the object of speculation or sale.
- The settlers cultivate their land by their own labour, without resorting to the permanent employment of hired workers.
- Provision is made for mutual aid in case of sickness or other emergency.
- The sale of produce and the purchase of means of production are cooperatively organised.

46. All forms of settlement enjoy equal facilities. The institutions prefer the settlement of organised groups to that of separate individuals. The farming plan is determined in consultation with the group to which the land is allotted, and colonisation loans are granted accordingly. The settlement itself is responsible for carrying out the farming plan with the assistance and guidance of the institution.

Part B: Potentialities

(vii) *Population Density*

47. It has been suggested that the density of population should serve as a basis for estimating the potentialities of Palestine for the absorption of new immigrants. The crudest method of measuring the density of population is that of so-called "arithmetical density," i.e. the relation of the total number of inhabitants to the total surface. Modern economists have discarded this method, as the area of a country conveys no indication of its natural resources. F. C. Wright arrived at the conclusion that "there is no magnitude expressible in exact figures that is in constant ratio to the relatively exact figure of the population of a given region."<sup>13</sup>

48. None the less the facts have to be ascertained. The following table compares the crude arithmetical densities of a number of countries with that of Palestine:

<sup>13</sup> "Population and Peace," a Survey of International Opinion on Claims for Relief from Population Pressure; International Institute of International Cooperation, League of Nations, Paris, 1939, p. 79.

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371 / 61903

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# ARITHMETICAL DENSITY 1939

Country	Persons per sq. km.
Belgium ... ..	280
Netherlands ... ..	268
Lombardy (1936) ... ..	245
Sicily (1936) ... ..	156
Formosa ... ..	160
United Kingdom ... ..	196
Palestine ... ..	57

If the densities of each of these countries were transferred to Palestine, the population of Palestine would be as follows:

Corresponding to Actual Density of	Hypothetical Population of Palestine
Belgium ... ..	7,365,000
Netherlands ... ..	7,050,000
Lombardy ... ..	6,445,000
Sicily ... ..	4,104,000
Formosa ... ..	4,209,000
United Kingdom ... ..	5,156,000
Actual population of Palestine in 1939 ... ..	1,502,000

These tables have been compiled with a view to comparing Palestine with fairly densely populated countries in some of which, such as the Italian provinces, conditions somewhat similar to those in Palestine prevail.

49. The economic absorptive capacity of a country is also, needless to say, affected by its natural resources. The most important of these is the area of cultivable land, which can be related to either the number of inhabitants or the number of agricultural earners, these two indices being known as physiological and agricultural densities, respectively.

## PHYSIOLOGICAL AND AGRICULTURAL DENSITIES IN PALESTINE AND OTHER COUNTRIES

Physiological		Agricultural	
No. of Inhabitants per sq. km. of Cultivable Land		No. of Agricultural Earners per sq. km. of Cultivable Land	
Netherlands	802	Belgium	109
United Kingdom	800	Netherlands	71.2
Belgium	640	Italy <sup>14</sup>	61.2
Italy <sup>14</sup>	307	United Kingdom	12.8
Palestine (1939)	113	Palestine (1939)	17.2

Even these indices are inadequate because of differences in climate,

<sup>14</sup> Separate figures for Sicily and Lombardy are not available.

such crops, etc. The above figures are presented only to show that population density, in so far as it can be taken as a criterion, cannot be regarded as a factor limiting the absorption of new immigration into Palestine.

## (viii) Land

50. The basic condition of Jewish agricultural settlement is the intensive utilisation of the land. The conceptions of land as an entity fixed in rigid arithmetical terms and of population as dependent on a stationary yield from this limited area, are rejected. Profits derived from agriculture and the area of the *lot viable* vary in accordance with the use to which the land is put. (In Palestine the income accruing from 15 dunums of vegetables or 10 dunums of citrus is equal to that of 100 dunums of cereals.) As a result of improved methods of cultivation (crop rotation, selection of seeds, etc.), the quality of land under Jewish ownership has been improved and the subsistence area reduced. In this connection the analysis of the land problem by the Partition Commission is instructive:<sup>15</sup>

"... There is no doubt that Palestine could support a larger agricultural population if better methods of cultivation were adopted, if the area under irrigation could be extended, and if markets for the increased produce could be found..."

51. The increase of population by Jewish settlement on a given area has, as a rule, resulted in the improvement of the economic conditions of the existing population: the maritime plain, which has the highest agricultural density, is also the most prosperous district of Palestine. The following table, based on Government figures, illustrates the relation between agricultural density and productivity:

## DENSITY AND PRODUCTIVITY (Index 1939 = 100)

Year	Rural Density (per cultivated area)	Volume of Crops	Crops per capita of Rural Population
1931	100	100	100
1939	116	195	153
1942	118	251	185

It is significant that internal immigration is directed to these more densely populated districts. An example of this is the tendency, as shown by the Census of 1931, for inhabitants of the Central Range, the area which has been least affected by Jewish settlement, to move to the Maritime Plain, the area where the influence of Jewish settlement is greatest.

<sup>15</sup> Palestine Partition Commission Report, 1938, p. 30, §47.

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371 / 61903



"...emigration from the Central Range is towards the Mari... Plain. This is in complete obedience to economic laws: development attracts productive labour from areas where development is not anticipated, or where livelihood is stationary."<sup>18</sup>

52. There are still wide tracts of land in various parts of Palestine which are sparsely populated or uncultivated, and which could, by use of proper methods, be intensively farmed. The prospects of settlement, particularly in the Gaza and Beersheba Sub-districts, should not be overlooked. This vast area is cultivated only partly, and even then very extensively: the fields are sown only once in two or three years. The yield per dunum is extremely low and entirely dependent on rainfall. The productivity of this area could be greatly increased through irrigation.

53. The question of the availability of land for agricultural expansion is dealt with in a memorandum attached hereto ("Possibilities of Agricultural Settlement in Palestine"), the conclusions of which may be summarized as follows:

*Cultivated and Cultivable Land* 54. The Palestine Government uses the terms "cultivated" and "cultivable" indiscriminately. Sir John Hope Simpson gave the following figures for the "cultivable" area of Palestine:

In the Plains ... ..	4,094 sq. km.
In the Hills ... ..	2,450 sq. km.
In the Beersheba Sub-district	1,500 sq. km.
<u>Total ... ..</u>	<u>8,044 sq. km.</u>

According to Government's memorandum to the Royal Commission (1936), the "cultivable" area of Northern Palestine was 7,120 sq. km. and that of the Beersheba Sub-district 1,640 sq. km. Thus the "cultivable" area had apparently increased in the meantime by 716 sq. km. In the Village Statistics for 1943 the "cultivable" area was given as being 200 sq. km. more than in 1936. It is, therefore, clear that the "cultivable" area is not permanently fixed but is liable to increase as more land is brought under cultivation. It appears that whenever Government estimated the "cultivable" area of Palestine, it gave the figures relating to land actually under cultivation at the time.

*Location of Uncultivated Lands* 55. Arithmetically, the area of uncultivated land in Palestine is about 17 million dunums. In order to ascertain its distribution, an analysis was recently made by the Jewish Agency of the 1934/35 maps of the Government Fiscal Survey, which preceded the introduction of the Rural Property Tax. To test the accuracy of these maps after the lapse of ten years, a re-survey of a number of typical villages, mostly situated in the

<sup>18</sup> Census of Palestine 1931, Volume I, Part I, Report by E. Mills, B.A., O.B.E., p. 51.

hills, was carried out covering a total area of 250,000 dunums. The check indicated that generally the cultivated area had increased only by 10%. As a rule, the two lowest categories of land, namely (a) entirely uncultivated land and (b) land cultivated to the extent of 20%, appear to have remained practically unchanged, while the above increase of 10% applied to lands cultivated to the extent of 20-90%.

56. A map has been drawn up showing the exact location of uncultivated lands, from which it can be seen that, apart from the Negev, large tracts of uncultivated lands are found in the hills of Galilee, Hebron hills, Eastern and Western slopes of the Judean and Samaritan hills and the Jericho area. These lands are uncultivated mainly owing to bad topography and rockiness, also to salinity and other defects. By modern methods of amelioration, a considerable part of such lands could be improved and rendered fit for cultivation.

(ix) Water

57. It is difficult to estimate the total effect of irrigation on agricultural production in Palestine, as the data available for Arab production are incomplete. From the figures for the Jewish sector far-reaching conclusions may be drawn. As a result of irrigation, intensive farming (dairying, poultry raising and vegetable growing) increased from 27% of the total production in 1922 to 85% in 1944/45, while wheat decreased from 45% to 6%.

58. Several attempts have been made to estimate the comparative productive capacity of irrigated and unirrigated land—a problem most pertinent to the consideration of future absorptive capacity. The following is the estimate of Professor Elazar-Volcani, Head of the Agricultural Research Station, Rehovot.

INCOME AND COST ACCOUNT OF IRRIGATED AND UNIRRIGATED FELLAH FARMS

<i>Account</i>	<i>Average Fellah Farm (100 dunums unirrigated) £P</i>	<i>Improved Fellah Farm (20 dunums irrigated) £P</i>
Income from Sale of Surplus	15.300	82.460
Income from Outside Work	12.000	—
Farm Produce retained for own consumption	18.850	27.200
Gross Income	46.150	109.660
Operating Expenditure	16.800	30.200
Net Income	29.350	79.460

*Irrigation*

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Thus on one-fifth of the area of a standard unirrigated farm, a fellah could by the use of irrigation secure an improvement of his standard of living by 171%.

**Water Resources** 59. According to the estimate of the Water Research Bureau of the Jewish Agency, the total amount of water from all sources available for irrigation, after the deduction of the quantities lost by percolation, evaporation and run-off to the sea, is 2,860 million cu.m. Other estimates range from 2,500 to 4,000 million cu.m.<sup>17</sup> On the basis of experience as to the quantity required per dunum, it has been calculated that with 2,860 million cu.m. a total area of 3,250,000 dunums can be irrigated.

**General, Regional and Local Irrigation Schemes** 60. A series of irrigation schemes have been prepared. Mr. James B. Hays, Chief Engineer of the Commission of Palestine Surveys, has prepared a scheme providing for an increase of the present irrigated area of Palestine by approximately 2,426,000 dunums (606,500 acres) from sources of water inside the country. The total estimated cost of this irrigation system would be approximately \$ 191,944,000 (£P 47,986,000). The annual cost to the farmer would not exceed 2½ Pal. Mils\* per cubic metre, as compared with the pre-war rates of 3 to 4 Pal. Mils. The final summary of costs indicates an average rate of about 1.72 Pal. Mils. In order to provide a reserve, the rate of 2.25 Pal. Mils is suggested by Mr. Hays, with the possibility of a subsequent reduction.

61. The estimated total average annual rainfall in the catchment area contributing to the water resources under consideration, not including areas below the 200 mm. line, is 10,600,000,000 cu.m. The total amount of water which it is proposed to use for irrigation and domestic use, including present use, would amount to 2,590,000,000 cu.m., or about 24.5% of the total rainfall. According to Mr. Hays, it is quite possible that in the future, when accurate data are available on additional water sources and a better knowledge of the actual water requirements for different areas is established, further areas could be irrigated.

62. Other irrigation schemes envisage far greater possibilities. They go up to 4 billion cu.m. and substantially larger areas. The Jewish Agency bases its calculations on the most conservative of these plans, which has already been presented to the Committee, that of Mr. Hays. Among the other plans are the following:

Palestine Water Company:	The Litani River Scheme
Dr. W. C. Lowdermilk:	Mediterranean-Dead Sea Canal
Dr. Werber:	Jordan-Kishon Canal
Mekorot Water Company:	The Valleys Irrigation Scheme.

<sup>17</sup> For details see Memorandum on Possibilities of Agricultural Settlement.  
\* £P 1 = £1 sterling = 1,000 millièmes.

(x) Agriculture

63. Jewish mixed farming produced in 1944/45 £P 2,000,000 worth of agricultural produce (calculated at pre-war prices), which amounted to 45% of the food consumed by the Jewish population. Production comprised the following main items: **Mixed Farming**

JEWISH AGRICULTURAL PRODUCTION FOR HUMAN CONSUMPTION  
(EXCLUDING CITRUS), ESTIMATE FOR 1944/45

Milk (Cows')	...	...	67,000,000	litres
Milk (Goat's and Sheep's)	...	...	2,200,000	litres
Meat	...	...	2,000	tons
Eggs	...	...	82,600,000	units
Poultry Meat	...	...	2,000	tons
Fish	...	...	1,800	tons
Potatoes	...	...	16,000	tons
Other Vegetables	...	...	14,000	tons
Table Grapes	...	...	3,800	tons
Bananas	...	...	4,400	tons
Deciduous Fruit	...	...	3,200	tons
Wheat	...	...	12,000	tons

64. A further advance in the self-sufficiency of the Jewish population could be achieved by:

- A general rise in the standard of living, which would increase the proportion of "protective" foodstuffs consumed (the transition to the production of "protective" foodstuffs by intensive farming being one of the main tendencies of modern agriculture);
- a reduction in the cost of production resulting from increased productivity, which would cheapen Jewish agricultural products.

The expansion of agricultural production depends on higher soil productivity and increased marketing possibilities.

65. *Agricultural progress*, i.e. increased productivity per land unit, has been attained, in Palestine, as elsewhere, by the application of scientific methods, such as the introduction of pedigree livestock, mechanisation, improved crop rotation, seed selection, the use of fertilizers, irrigation to make up for insufficient rainfall, and a shift in production from less to more valuable crops. In colonisation countries the increase of productivity is usually more rapid, owing to the greater predisposition of the settlers to adopt new methods. Since about 1925 Jewish agriculture in Palestine has developed on these scientific lines and its present productivity per dunum by far surpasses that of primitive Arab farming.

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66. The following figures are instructive in comparing the production of Arab and Jewish farming:

The milk yield per cow is about 3,800-4,200 litres in the Jewish, and 600-800 in the Arab farm; the production of eggs per hen is 120-150 and 50 units respectively; the yield of wheat per dunum 120-160 and 70-80 kgs., and the yield of vegetables per dunum (physical area) 2,000-2,500 and 800-900 kgs.

67. The cultivated mixed farming area in Jewish possession (excluding citrus), is at present about 600,000 dunums, as against 6,600,000 dunums<sup>18</sup> in Arab possession, i.e. a land ratio of 1:11. This should be compared with the following comparative data for the production and sale of Jewish and Arab farm produce respectively.

PRODUCTION AND SURPLUSES OF FOOD FOR HUMAN CONSUMPTION IN JEWISH AND ARAB MIXED FARMING IN 1944/45 (EXCLUDING CITRUS)  
(in £P calculated at 1938/39 prices)

	Gross Produce	Surplus for the Market
Jewish Farming ... ..	2,000,000	1,520,000
Arab Farming ... ..	4,840,000	1,800,000
Ratio ... ..	1:2.4	1:1.2

The high productivity of Jewish agriculture as compared with Arab is mainly the result of modern farming methods, though it is also due in part to the large-scale purchase by the Jews of fodder, livestock and manure produced on extensive Arab farms in Palestine and the neighbouring countries. This absorption of surpluses from extensive agriculture should be regarded as an economic asset of general value.

68. *Increased Marketing Possibilities* in a colonisation country like Palestine will come about, in the first place, as a result of further immigration. In addition, markets for milk, vegetables and fruit will expand by increased *per capita* consumption, as in Palestine the level of consumption of these essential foodstuffs is well below that of Central and Western Europe. Moreover, the general trend in modern nutrition leads to an increased consumption of "protective" foodstuffs at the expense mainly of cereals. If agricultural progress is linked with industrialisation and the transition from primary to secondary and tertiary stages of production, a rising standard of living and an increased *per capita* consumption of "protective" foodstuffs will be the natural result.

<sup>18</sup> The figure for mixed farms in Arab possession is arrived at by deducting from the total figure for the whole of Palestine in 1941/42 (later figures are under-estimated) the Jewish figure for 1944.

The main features of an agricultural development policy, which would increase the capacity of agriculture to absorb new settlers, may be summarised as follows:

*Tendencies of Agricultural Development*

- Development of irrigation facilities.
- Cultivation of additional areas.
- Improved methods of Arab farming, with a view to the release of surplus land and a higher density of population.
- The application throughout Palestine of scientific agriculture, with a view to higher yields per unit of land and livestock.
- A shift from "energy-producing" to "protective" foods, with a corresponding increase in crop value.

70. Such a development policy would not be based on theoretical assumptions, but on the actual experience of Jewish agriculture. The problem seems to be one not of area, but first and foremost, of capital for increasing the productivity of the land available and of the spread of education and knowledge. A scheme of this kind would conform to world trends, which are moving in the direction of linking new developments in nutrition and agriculture with a higher standard of living and an expanding market for agricultural produce. It would have far-reaching repercussions on the whole economic structure of the country and on its trade relations with its neighbours.

71. The pre-war area of 155,000 dunums of citrus plantations in Jewish possession (out of a total area of 300,000 dunums) produced approximately 10 million boxes, of which 8½ millions were exported. During the inter-war period the total citrus area had increased from 24,000 to 299,000 dunums, and exports from 1,366,000 cases valued at £P1,426,000 to 15,265,000 cases valued at £P4,346,000. Jewish citriculture served as a direct source of permanent employment for nearly 10,000 Jewish earners, of whom about 1,500 were growers and approximately 8,500 hired workers. In the picking season the latter number went up to about 22,000, including thousands of Arabs. In addition, a substantial number was indirectly employed in motor transport, commerce, ports, etc. During the war the Jewish citrus area is estimated to have decreased by 35,000 dunums—groves which were uprooted or neglected.

*Citrus*

72. The first task of a citrus development plan is the rehabilitation of fruit-bearing groves and the replanting of the areas destroyed. At the outbreak of the war only a proportion of the citrus area had reached the fruit-bearing stage. At full maturity, the exportable crop of the pre-war Jewish citrus plantations would have been about 12 million boxes, instead of 8½ million as before the war. The handling of this additional quantity of fruit and the income accruing from its sale abroad would in-

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371 / 61903

crease the number of those deriving their livelihood from this branch of agriculture.

73. The total area suitable for citrus planting in Palestine is estimated at 450,000 dunums. The expansion of the present area is entirely a question of markets. It is expected that in time markets will grow to such an extent as to make it possible for the whole area to be planted. This expectation is based on the present tendency to remove artificial trade barriers, especially with regard to foodstuffs, which was emphasized at the Hot Springs Food Conference. The Conference recommended an increase of the present average world consumption of fruit by no less than 300%.

74. In estimating the importance of citrus to Palestine's economy it should be borne in mind that about 40% of the maintenance cost of Jewish groves, and approximately 50% of the cost of picking, packing, transport and loading, is spent on labour. Another important bearing of citriculture on Jewish settlement plans is its ability to thrive on light soil.

75. The difficult position of citriculture immediately before the war was mainly due to the following reasons:

- (a) The general decline and disruption of international trade which characterised the last decade before World War II, resulting in a system of high import tariffs and quotas, exchange difficulties and barter trade agreements, together with currency devaluation and economic crises in some important consumer countries.
- (b) The special drawbacks inherent in the Palestine Mandate: Article 18 of the Mandate which deprived Palestine of its bargaining power, and the exclusion of Palestine from the benefits of Imperial Preference.
- (c) The deficient organisation for marketing the Palestine fruit abroad, which resulted in unnecessary competition and unregulated shipments. Compared to the disadvantages resulting from the first two causes, this last drawback was of minor importance.

76. It may now be assumed that exports of essential foodstuffs, such as fruit, will enjoy free access to the markets; that the nutrition policy envisaged at the Hot Springs Conference will be put into effect; and that the trade principles of the Atlantic Charter will be implemented. Should these assumptions prove wrong and the system of bilateral trade be re-established, Palestine can at least expect to be freed from the handicaps of Article 18 of the Mandate and to be placed on an equal footing with other countries in respect to its bargaining power. Since Palestine needs large imports, this reform would be fully adequate to ensure the successful marketing of the increased citrus crop.

*(xi) Colonisation*

77. Early Jewish settlement followed the Arab model. The main crop was cereals, and the area of the farm unit varied from 150 to 300 dunums, according to local conditions. Settlements established after the first World War by the Zionist Organisation, both collective and individualistic, were originally based on a unit of 100-120 dunums of un-irrigated land. With the application of modern methods of cultivation, machinery and improved livestock and with the constant progress of irrigation, the size of the unit-holding has gradually decreased. The following types, though not yet generally prevalent, are indicative of the advance achieved:

- 40 dunums in Upper Galilee, of which 5 are irrigated;  
20 " in the Jordan Valley, of which 11 are irrigated;  
60 " in the Valley of Jezreel, of which 6 are irrigated;  
20-25 " in the Coastal Plain, of which 15-20 are irrigated.

78. The yield of irrigated land is three times greater than of unirrigated. As, moreover, an irrigated area is capable of producing nearly two crops a year (the exact ration being 1.7), instead of one winter and one summer crop in two consecutive years, the total increase in the land's productive capacity is five-fold. Other advantages of irrigation are a greater variety of crops and the more rational use of the varying conditions of soil and climate by means of a suitable selection and adaptation of plants.

79. The accepted unit area of intensive mixed farming, based on experience throughout the country, is 25 dunums of irrigated land, if there is no danger of salinity, and 35 dunums where such danger exists.

80. The hill country does not, as a rule, lend itself to irrigation. Instead, the growing of fruit is here the main feature of intensified farming. Favourable climatic conditions and abundant rainfall make diversified agriculture possible. Cereal growing in the hills is uneconomic. Fruit cultures, on the other hand, make for greater variety and a higher income. For livestock, green fodder and carobs can be grown. By the clearing of stones, uprooting of bushes, terracing and fertilising, the soil can be so improved as to permit of organic mixed farming. A unit-holding in the hills based upon mixed farming (deciduous trees, table grapes, seed-growing, seasonal vegetables, modern dairy and poultry) will require 30 dunums of arable land and 20 dunums of controlled grazing, making a total of 50 dunums.

81. The land reserve for future Jewish colonisation <sup>19</sup> may be expected to come from the following two main sources:

- (a) the release of land surpluses, to be brought about by the re-

<sup>19</sup> For details see the Memorandum on Possibilities of Agricultural Settlement.

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 371 / 61903



duction of the farming unit, as a result of transition from extensive to intensive farming, and the execution of general and regional irrigation schemes;

- (b) the utilisation of such areas of wholly or mostly uncultivated lands as may be immediately suitable for reclamation.

82. Under (a), the possibilities are limited by the availability of water for irrigation. The area which can be irrigated with the total available quantity of water has been estimated at 3,250,000 dunums. If the area of 500,000 dunums already under irrigation is deducted from this total, a balance would be left for the irrigation of 2,750,000 dunums, of which it is proposed that 1,000,000 dunums should be in the Negev and 1,750,000 dunums in other parts of Palestine.

83. Under (b), if only continuous stretches of uncultivated land are taken into account, 88 compact areas can be selected for new settlements, totalling 2,473,000 dunums and leaving the bulk of uncultivated land (an area of nearly 5,700,000 dunums) as margin for further development.

84. Each of the above two developments would create land for large-scale new colonization activity.

#### (xii) Industrial Development

*Transition to Peace* 85. Jewish industry in Palestine should not be regarded as a mushroom growth, fostered by war conditions. It existed before the war and there is no reason to suppose that it should cease expanding in the post-war period.

86. The technical reconversion of Palestine industry from war to peace production has been successfully achieved. Military orders, which amounted to £P 8,000,000 in the period January 1944—May 1945, have now dwindled into insignificance, but the number of man-days worked in industry during this period has decreased only very slightly.

MAN-DAYS WORKED IN JEWISH INDUSTRY  
1938/39 = 100

	1944	1945
January ... ..	218	214
April ... ..	185	213
July ... ..	216	192
October <sup>20</sup> ... ..	216	196

87. There remains the economic problem of readjustment to world price conditions, which will eventually have to be faced. In this connection

<sup>20</sup> No later figures are available, but no further decrease of employment is noticeable.

should be borne in mind that with the return of competitive conditions, the costs of production will be reduced by a decrease of nominal wages *pari passu* with the cost-of-living index and prices of raw materials. Further, productivity should be increased by the large-scale re-equipment of industry with new and modern industrial equipment now on order from the United Kingdom, and the United States.

88. As far as the stability of local industry is concerned, it may be pertinent to point out that industry could not have expanded as rapidly as it has done in recent years, if it had not been run at a profit; also that it is mostly the result of private enterprise and is not subsidised by State or any other public funds. Most manufacturers in Palestine have gained experience in their respective branches of production abroad, and would not launch a new enterprise or risk their capital without carefully examining the prospects.

89. The industrialisation of Palestine should be viewed in the light of the general tendency of industry—outstanding in world industrial development in the inter-war period—to become decentralised and to be less dependent on local raw materials and other natural conditions.

90. The increasing simplicity of manufacturing processes has enabled many backward countries to develop industries of their own. The most notable increase in industrial output of recent years have taken place in agrarian, and not in industrial countries. Industry is now concentrating in an increasing measure in areas which do not possess large resources of raw materials. Belgium, which apart from coal is almost completely dependent on imported raw materials, and Switzerland, which has the second highest proportion (44.9%) of industrial population in the world in spite of her lack of all important raw materials, are cases in point. The availability or otherwise of local raw materials is nevertheless of interest.

91. The industrial raw materials available in Palestine are as follows:

#### (a) Minerals

(i) *Dead Sea*. The mineral deposits of the Dead Sea have been estimated as follows:

2,000,000,000 tons	potassium chloride
1,000,000,000 "	magnesium bromide
11,000,000,000 "	sodium chloride
22,000,000,000 "	magnesium chloride
6,000,000,000 "	calcium chloride

The Dead Sea industry is still in its initial stages but could be developed into a chemical key-industry.

(ii) *Oil* is conveyed by the pipe-line from Iraq to the refineries in Haifa Bay. In determining the location of industries, the avail-

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371 / 61903

ability of oil for use either directly as fuel, or as a cheap source for the generation of electric power, equals or exceeds in importance that of coal deposits in the 19th century. Oil also plays an important part in a number of chemical industries and can be used as a substitute for coal in the production of numerous organic chemicals.

(iii) Apart from the mineral wealth of the Dead Sea, there are large deposits of *Phosphates* in the hills west of it, suitable for fertilisers, and of *Bituminous Limestone*. In the south of Palestine, the presence of *Manganese*, *Baryte* and *Felspar* has been proved. The *Sulphur* deposits of Gaza may prove useful for the chemical industry. *Cement* and *Lime* are produced locally.

(b) *Vegetable Raw Materials*

(i) *Oranges* provide a first-class raw material already in industrial use in Palestine. Its unutilised potentialities include the manufacture from orange peel of high-grade spirit, as a basis for high-quality liquors and perfumes, and the production of butyl-alcohol and acetone.

(ii) *Various agricultural products* serve for the manufacture of wine, alcohol, oil, soap, etc.

(iii) *Medical plants*. Liquorice, i.e. the root of *glycorhiza glabra*, used in the production of beer and snuff tobacco, is one of the most valuable high-quality wild medicinal herbs growing in Palestine. Its importance may be gauged from the fact that in one year Syria exported it to the value of 300,000 Syrian pounds (chiefly to U.S.A. and Australia). There are prospects of utilising a number of other drugs for export.

(iv) *Peat* deposits in the Hula Valley, estimated at 20 million tons.

(v) *Papyrus* from the Hula region.

(c) *Animal Raw Materials*

The Gulf of Akaba, one of the richest fishing-grounds in the world, holds out great possibilities not only as regards human nutrition, but also in connection with a whole series of industries, such as the production of fish-oil, fish-glue, fish-meal, and other products.

A thorough investigation of Palestine's natural resources for industrial development has recently been undertaken. Research should reveal additional possibilities.

(a) *Transjordan* has large deposits of high-grade phosphates, already utilised by Palestine industry.

(b) *Egypt* is one of the largest producers of manganese ore, its deposits being of the highest quality. There are also large de-

posits of phosphates, titan and zircon-ore, sodium carbonate, and above all, the organic raw materials, cotton and cotton seed.

(c) *Cyprus* has large deposits of pyrites, asbestos, magnesite and chromium-ore (highly cupriferous and possibly suitable for copper production). In 1938 Cyprus alone produced about 800,000 tons of high-grade pyrites and now holds fourth place among world producers of this commodity.

One of the most important organic raw materials of Cyprus are carobs, the annual yield amounting to 40,000 to 50,000 tons, with a high sugar content. There are various possibilities of their utilisation by the food and fermentation industries.

93. The geographical location of Palestine, as far as proximity to sources of raw materials is concerned, offers another favourable feature. The following table shows some of the important sources of raw materials in the Middle East and the Mediterranean Basin, and their comparative distance from Marseilles, London and Palestine.

Raw Material	Country of Origin	% of World Production	Distance (in miles) to		
			London	Marseilles	Palestine
Crude Oil	Iraq	1.6	x) <sup>21</sup>	1,510	175
Pyrites	Cyprus	7.4	3,613	1,890	170
	Greece	2.3	3,100	1,140	500
Sulphur	Italy	12.8	2,200	720	1,000
	Cyprus	4.0	3,633	1,900	170
Asbestos	Italy	2.0	2,600	600	1,000
	Greece	0.9	3,093	1,140	500
Nickel	French Morocco	0.3	1,460	633	1,800
Chromium	Turkey	20.6	3,583	1,860	180
	Cyprus	0.5	3,633	1,910	170
Manganese	Egypt	1.8	3,233	1,510	175
	Greece	0.1	3,093	1,140	500
Tin Metal	African Continent	12.8	—	—	—
	Portugal	0.7	935	1,080	2,480
Copper	Cyprus	1.7	3,633	1,900	170
	Greece	0.5	3,093	1,140	500
Lead	Turkey	0.3	3,683	1,433/1,960	280
	Greece	0.6	3,093	1,140	500
Zinc	Turkey	0.5	3,683	1,433/1,960	280
	Egypt	3.1	3,233	1,510	175
Phosphates	Algeria	4.0	1,782	400	1,500

94. Since marketing facilities go far to determine the location and extent of industrial development, the expansion of the Palestine market concurrently with continual immigration will in itself stimulate further industrial progress. Such stimulation takes effect in the following ways:

<sup>21</sup> England and North Europe can be better supplied from America.

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FO

371 / 61903

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- (a) By providing the minimum demand without which the transition from handicraft to industrial production is impossible;
- (b) By allowing, through the increase of industry as a whole, greater specialisation and sub-division with resulting economy of production. Auxiliary industries (finishing and dyeing plants for textiles, repair workshops, etc.) can be established;
- (c) By permitting a more intensive utilization of existing plant and labour, which is one of the most important factors determining the cost of production.

95. These trends are borne out by the following table, showing the gross consumption of *local industrial products* per head of Jewish population over a number of years:

1922	—	£P 5.300
1929	—	£P 14.500
1936/37	—	£P 18.200

96. Another aspect of the same process is the increased productivity of industry, which has much to do with the expanding market.

	1936/37	1929/30	Index 1929/30 = 100
Jewish Population	158,000	404,000	256
Net Production per wage earner in Jewish Industry (£P)	107	258	241

Thus, the further growth of the Jewish population will result in local industry's supplying local requirements to an ever-increasing extent.

97. The supply of locally manufactured products was greatly increased in war-time. Exports increased from 1928 to 1943 by 257%, while supply to the Army (nearly £P 5,000,000 at pre-war prices) and for local consumption (£P 10,500,000 gross at pre-war prices in comparison with £P 8,200,000 gross in 1938) increased by 85%. It should be borne in mind that this extraordinary expansion was effected under conditions conducive to self-sufficiency—in particular, an effectively sheltered market—but also under great handicaps, such as lack of new machinery, equipment accessories and raw materials, as well as shortage of manpower. Most of these handicaps will be eliminated in peace-time and this alone will increase productivity, reduce costs of production, and to a great extent offset the effect of foreign competition.

98. The above considerations apply to a certain extent to exports, as may be seen from the following table:

# INDEX OF INDUSTRIAL EXPORTS IN CORRELATION WITH INCREASE OF JEWISH POPULATION (1922 = 100)

*Industrial Exports (pre-war values) excluding petrol products.*

	Excluding Potash and Bromine		Jewish Population
	Index	£P.	Index
1922	100	250,000	100
1930	175	438,000	201
1938	260	650,000	520
1943 (excluding diamonds)	408	1,020,000	632
1943 (including diamonds)	680	1,700,000	632

99. The factors to be taken into account in planning for the future of Palestine industry may be summarized as follows:

- (a) The economy of large-scale production, made possible by a larger market, strengthens the competitive power of industries.
- (b) An increasing home market makes possible the establishment of new industries for which a technical minimum is reached.
- (c) Large-scale production and a larger home market also lead to increased exports.

100. Another important factor in industrial development is the availability of skill and knowledge. Skill is the basis for the so-called processing industries. In certain industries the value of the final product is so high compared with that of the raw materials that the industry becomes virtually independent of the place of origin of the raw materials. Some of these processing industries, such as fashion industries, furs, diamonds, pharmaceuticals, etc., have already developed in Palestine.

101. It would appear that the quality and standard of products and the degree of productivity, rather than the mass production of goods or availability of local raw materials, will be the decisive factors in the development of Palestine industry. Whether the requisite industrial skill is available for the production of high-grade goods depends on the efficiency and degree of productivity with which materials and human resources are used. The more diversified the production, the easier will it be to find an outlet in foreign markets for specialised, non-bulky goods. The relatively small weight in world markets even of a greatly expanded Palestine industry should also facilitate exports.

102. It would thus appear that the future of Palestine industry lies in three directions:

- (a) Production on the basis of raw materials available locally and in adjacent countries, such as citrus, Dead Sea products, cotton from Egypt, etc.

*Skill and  
Structure of  
Industry*

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371 / 61903

- (b) Industries based on skill, in which the cost of raw material is small in relation to the value of the final product, such as chemicals, pharmaceutical products, certain types of machinery, instruments, fashion goods, etc.
- (c) Industries using raw materials of small bulk and weight, so that their freight is a negligible item in the cost of production, such as furs, diamonds, etc. Such industries are completely independent of their distance from the source of the raw materials.

**Aggregate Production** 103. The increase in the gross production of Palestine industry in the inter-war years is shown in the following table (adjusted to price fluctuations):

INDEX OF INDUSTRIAL DEVELOPMENT IN PALESTINE

	Unit	1920/22	1929/30	1937/38
Gross Production:				
Actual value	£P	1,167,000	5,010,000	12,010,000
Index	£P	100	429	1,029
Gross Production:				
Price basis 1937/38	£P	503,000	4,840,000	12,010,000
Index		100	962	2,268
Persons employed	No.	11,000	26,000	48,600
Index		100	236	442
Electric Power used for industrial purposes	1000 kwh	—	2,000	20,700

104. In spite of difficulties in obtaining capital, equipment and raw materials due to the shortage of shipping space, industrial growth in Palestine during the war was very considerable. The employment index rose from 100 in 1938/39 to 239 in 1943.

**Production per Earner** 105. The following figures show the relative increase of production per worker:

GROSS PRODUCTION PER PERSON ENGAGED IN INDUSTRY AND HANDICRAFT

	1921	1928	1929	1933	1937
£P	106	215	240	273	311

The development of industry and prospects for the future can be gauged by an examination of productivity.

**Cost and Productivity** 106. The key to cost is productivity or added value per earner in industry. The following tables reflect developments of productivity per earner in index figures:

	1922	1929/30	1937/38
Value added by Manufacture (£P)	143,000	1,346,000	5,060,000
% of Gross Production	28.6	53.6	53.3

VALUE ADDED PER EARNER IN JEWISH INDUSTRY

	1922	1929/30	1937/38
£P	30	123	170
Index	100	410	567

107. The above steep rise is the result of the following fundamental changes:

- (a) Transition from handicraft to industry, as reflected in the following figures of investment per worker:

INVESTMENT PER PERSON ENGAGED IN JEWISH INDUSTRY

Year	Investment per Head £P
1921/22	126
1930	204
1933	274
1937	387

- (b) Fuller utilisation of productive capacity following the increase of population and markets.
- (c) Better capital equipment.
- (d) Greater industrial skill.

108. The industrialisation of Palestine will in the future depend on immigration in its following aspects: **Conclusions**

- (a) *Markets*: Only an expanding population can provide a large enough domestic market and open up possibilities for large-scale and diversified industry by establishing technical and economic minima and reducing the cost of production.
- (b) *Skilled Labour*, initiative and expert knowledge, which must be brought into the country at this stage of industrial development, as in the inter-war period.
- (c) *Capital*, which will accompany immigration, as in the inter-war period.

109. Since industry is dependent on so many factors which have nothing to do with natural resources, a blue-print of industrial development is hardly possible. It should, however, be taken into account that a steady and uninterrupted growth of industry in the inter-war period was effected against heavy odds, such as limited markets, particularly in the twenties and thirties, a world slump of marketing, the dumping of Japanese and

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371 / 61903



German goods, and the detrimental effects on foreign trade policy. Article 18 of the Mandate. In spite of these unfavourable conditions, industry increased not only *pari passu* with the increase of Jewish population but even in its relative weight. Industrial employment, which in 1922 accounted for 17% of Jewish earners, reached 20% in 1939. During the war, a further increase up to 25% in 1942/43 was recorded. 110. All the prerequisites for further industrial development seem to be present. Production is on the increase, considerable amounts of capital are available for industrial investment, schemes for the expansion of various branches of industry have been prepared. Further development seems to be mainly dependent on political conditions and the access of manpower and skill through immigration.

(xiii) *Other Urban Occupations*

111. Other urban occupations—transport, commerce and finance, professions and various services—depend, on the one hand, on the development of the primary and secondary stages of production (i.e. agriculture, industry and construction) and, on the other, on the general standard of life, and particularly on the level of social, educational and health services. Some of these occupations may also develop into independent sources of income, e.g. transit trade, tourist traffic, health resorts, etc.

112. The proportion of the population engaged in these occupations is very high in all developed countries, as may be seen from the following table:

Country	Agriculture, Fishing	Mining, Bldg. 'In- dustry	Transport	Commerce & Finance	Forces	Civil Service	Domestic Service	Other Services (incl. Professions)
Great Britain	6.4	43.0	8.2	16.7	1.0	6.0	8.1	9.1
Netherlands	20.8	39.2	9.4	14.1	0.4	—	7.7	8.3
Belgium	17.1	47.8	6.9	14.6	1.8	2.7	?	8.7
Switzerland	21.3	44.9	4.4	9.8	0.2	1.2	7.2	11.0
Norway	35.3	26.5	9.3	12.5	0.3	1.3	10.3	4.5
Germany	24.3	38.5	5.8	13.1	0.5	3.0	10.1	4.7
Poland	61.6	18.0	9.1	—	4.2	—	—	7.0
U.S.A.	19.3	31.1	7.7	16.2	0.3	7.8	4.6	13.0
Canada	34.5	23.2	7.9	13.1	0.2	3.0	4.3	13.7
New Zealand	27.1	24.2	9.6	15.4	0.3	—	—	23.4
Australia	24.4	29.4	8.8	17.8	0.4	3.4	4.9	10.9
India	62.4	14.4	2.1	7.3	1.7	—	10.0	2.1
Palestine non-Jews 1931	57.6	15.7	5.6	8.3	2.6	1.3	3.2	5.7
Palestine Jews 1939	19.3	27.1	4.7	13.9	2.0	5.7	7.3	20.0

The general occupational structure of the Jewish population of Palestine seems to be similar to that of the highly developed countries. There is a certain preponderance of the professional class and a few other slight deviations from the ordinary pattern, partly due to the high proportion of Jews outside Palestine engaged in these pursuits and the tendency of adult immigrants to continue in them.

(xiv) *Maritime and Fishing Occupations*

113. Before the war, Palestine's seaborne imports averaged about 750,000 tons a year. A considerable proportion consisted of capital goods, vital foodstuffs, and industrial raw materials. Although the Jewish population was only 30% of the total, Jews consumed 70% of these imports. Seaborne exports amounted to 500,000 tons per annum, including 250,000 tons of Jewish and 150,000 tons of Arab citrus fruit. In addition, immigration and passenger traffic in Palestine ports reached an average annual total of 80,000 persons. It is estimated that some 60 foreign ships with a personnel of 3,000 were permanently employed on these services, and that £P2,300,000 per annum was spent by the Jewish community on sea transport.

114. An attempt to secure for Palestine an adequate share of this trade thus appears justified. Some modest beginnings were made before the war. A few Jewish shipping companies were founded, employing several hundred Jewish sailors in coastal trade and on sea-going vessels. Three training organisations were formed, and the number of trainees reached a total of 800. In addition, a Nautical School with 120 students was opened in Haifa under the joint auspices of the Jewish Agency and the Palestine Maritime League.

115. Harbour work developed rapidly with the establishment in Haifa of lighterage and passenger service companies, the immigration of skilled Jewish stevedores from Salonica and, last not least, with the establishment in 1936 of the Tel Aviv port. On the eve of the war there were 2,000 Jewish port workers.

116. First steps were also taken towards the development of Jewish fishing in the Mediterranean and in the lakes of Palestine, and a new enterprise of fish-breeding in artificial ponds was started by Jewish settlements. The annual fish consumption of the Jewish community before the war was only 10 kgs. per head, of which only 5 kgs. was fresh fish; the larger part of this had to be imported. The Jewish share in the pre-war local catch did not exceed 2%.

117. During the war, Jewish ships were taken over by the British shipping authorities and losses were suffered, both in men and ships, in war

202

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371 / 61903

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service. A coastal service was maintained with the help of Jewish sailing vessels, and a number of Jewish sailors found employment on Allied ships. 1,700 volunteers joined the Royal Navy and the Port Operating Companies (Royal Engineers), which rendered valuable service in the Mediterranean campaigns. The production of Jewish fishing in 1944 reached one-third of the total quantity of fish landed by Palestinian fishermen. Fish-breeding ponds became an important branch of Jewish farming. Some twenty trawlers are employed in deep-sea fisheries operated by communal settlements and private companies.

118. Both shipping and fishing offer, on the basis of past experience, fair prospects of further growth and development. Deep-sea fishing, both in the Mediterranean and in the Gulf of Akaba, with the help of big trawlers, holds out good prospects. The shortage of shipping in the Eastern Mediterranean as a result of the war offers a chance for Jewish shipping enterprise to cater, at least partly, to the Jewish immigrant and tourist traffic. There are also prospects for ancillary trades to shipping and fishing, such as dry docks, repair workshops, canning and cold-storage plants, etc.

(xv) *Conclusion*

119. Experience during the war has shown the extent to which it is possible to organise economic life and to mobilise the common effort of all for the achievement of a high national purpose. In the life of settled nations, such supreme effort has been the natural response to a state of national emergency. The Jewish people, in its struggle for survival, faces a similar ordeal. It expects help from the outside world, but it is ready to dedicate all its energies to the work of national salvation.

120. The experience gained by the democracies under the stress of crisis in the technique of organisation, in the conduct of a managed economy and in the adaptation of production to war needs, offers an important lesson for Zionist endeavour. Large-scale transfers of population, whether in the form of movements of refugees or of troops, are not essentially different from major propositions of planned immigration.

121. Older theories of economic absorption placed much emphasis on the natural conditions of the country in which immigrants were settling, as distinct from and independent of the size and character of immigration. Little attention was paid to the fact that immigration itself creates new conditions for its own absorption, and to the dynamic reaction of the country's economy to the influx of new people. The Commissioner for Migration in Palestine defines the role of immigration in the following way: <sup>22</sup>

<sup>22</sup> "Census of Palestine," 1931.

Such consequences of themselves lead to a better adaptation of resources and means; and, up to a certain limit, known as the optimum, an increasing population creates new sources of productive activity to meet the needs of the growing people."

The transition from a subsistence to an exchange economy and the more intensive use of existing resources increase the country's absorptive capacity. This process has been witnessed in Palestine in the past. It would surely appear unreasonable to assume that it came to an end just in 1939.

122. Experience in Greece and Palestine has shown that the more rapid the pace of such a development, the easier its consummation. An analysis of Jewish settlement during the last few decades shows that the limited area of Palestine can be compensated for by capital and skill; also that the dynamic development of the country reveals opportunities which cannot be predicted in advance. A policy of development which aims at modernising the whole economic structure, increasing productivity, intensifying agriculture, developing industry, rationalising the occupational distribution, mobilising capital, etc., would go far towards placing the country on the road to progress and prosperity, and removing the age-old curses of poverty, disease and social backwardness. The degree to which natural resources are utilised is no less important than their availability. The most powerful incentive for utilising the natural resources in Palestine is the dire need and firm will of the Jewish people to establish itself here, and the determination to apply all the physical energy, skill, intelligence, scientific knowledge and capital at its command to the achievement of this paramount object.

203

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# PALESTINE AND THE ARAB WORLD

FACTS AND FIGURES ON THE AREAS INVOLVED

“**N**O RACE has done better out of the fidelity with which the Allies redeemed their promises to the oppressed races than the Arabs. Owing to the tremendous sacrifices of the Allied nations, and more particularly of Britain and her Empire, the Arabs have already won independence for Iraq, Arabia and Transjordan, although most of the Arab races fought throughout the war for their Turkish oppressors. Arabia was the only exception in that respect. The Palestinian Arabs fought for the Turkish rule.”

—David Lloyd George, in his  
"Memoirs of the Peace Conference,"  
Volume I, page 723

“**T**HE ARABS cannot say that the Jews are driving them out of their country. . . . It is because the Jews who have come to Palestine bring modern health services and other advantages that Arab men and women who would have been dead are alive today, that Arab children who would never have drawn breath have been born and grown strong. . . . They can deny it as much as they like, but materially the Arabs in Palestine have gained very greatly from the Balfour Declaration.”

—Malcolm MacDonald, British  
Colonial Secretary, in House of  
Commons, November 24, 1938

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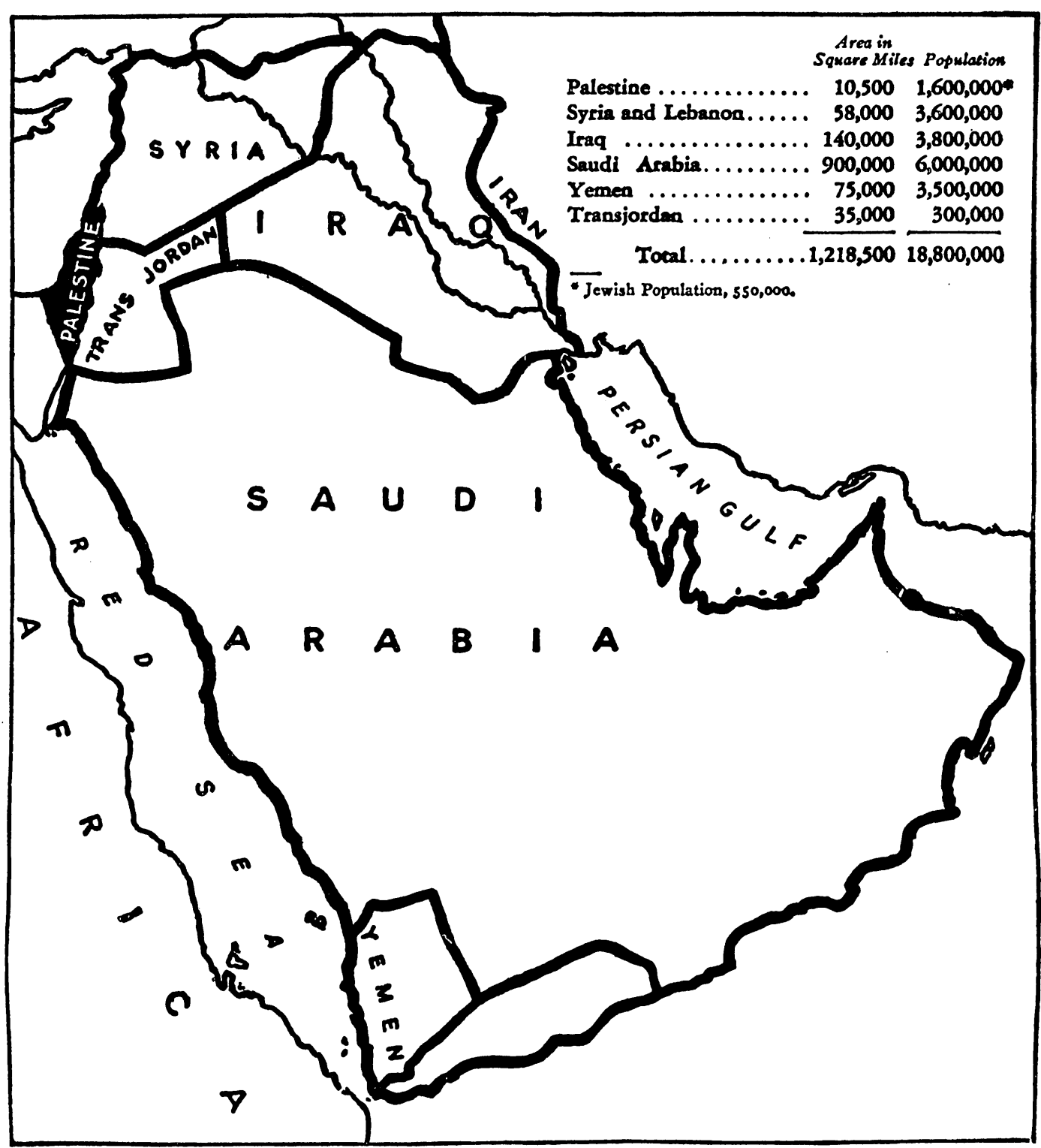
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204 A

# PALESTINE AND THE ARAB LANDS

This area was freed from Turkey in World War I.  
Palestine constitutes less than 1% of the total territory.



## PALESTINE

is only 20% larger than Massachusetts. Because of intensive industrial development, the population of Massachusetts is 4,316,000, over 2½ times that of Palestine.

## SAUDI ARABIA

is over three times the area of the immense State of Texas. Texas, which is generally recognized as underpopulated, has a population of close to 6,500,000.

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205

AS A RESULT OF THE ALLIED VICTORY IN WORLD WAR I  
THE ARABS RECEIVED SOVEREIGNTY OVER MORE THAN

*1,200,000 Square Miles*

This territory is more than  $\frac{1}{3}$  the area of the continental United States.

It includes six large Arab states:

SAUDI ARABIA, the huge oil-rich territory that is the ancestral home of the Arabs.

YEMEN, the most fertile part of the Arabian peninsula.

IRAQ, site of the Mosul oil fields, a large, well-watered land which in ancient days was the seat of the empires of Assyria and Babylon, supporting a population believed to have been between 17,000,000 and 25,000,000.

TRANSJORDAN, three times the size of Western Palestine, richer in soil and water.

SYRIA and LEBANON, temperate in climate, in Hellenic and Roman times the home of a large and highly civilized population; granted full independence in 1942.

## THE JEWS RECEIVED ONLY *a Promise*

This promise with regard to Palestine, their never-forgotten homeland, was accepted by the leaders of the Arabs at the time. Emir Feisal, chief Arab representative at the Versailles Peace Conference, wrote to Dr. Felix Frankfurter: "We Arabs, especially the educated among us, look with deepest sympathy on the Zionist movement. Our deputation here in Paris is fully acquainted with the proposals submitted yesterday by the Zionist Organization to the Peace Conference, and we regard them as moderate and proper. We will do our best, in so far as we are concerned, to help them through; we will wish the Jews a most hearty welcome home."

Palestine's small area of 10,500 square miles west of the Jordan can be the salvation of the Jewish people. Jewish achievements in Palestine have proved this.

At the beginning of the Christian era, Palestine had a population of about 4,000,000. Dr. Walter Lowdermilk, the noted American agricultural expert, in his book, *Palestine, Land of Promise*, demonstrates that, by means of a scientific program of irrigation and power development, room can be made for at least 4,000,000 new immigrants, without in any way disturbing Palestine's present total population of 1,600,000.

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# THIS WAS THE PROMISE TO THE JEWS

Issued by the British War Cabinet with the approval of President Wilson.

Confirmed by the joint resolution of the Sixty-seventh Congress of the United States (1922) and the concurrent resolution of the Seventy-first Congress (1945).

Incorporated in the League of Nations Mandate for Palestine, which recognizes the grounds for the Jewish people's "reconstituting their national home" in Palestine and makes "the Mandatory responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home."

November 2, 1917

Dear Lord Rothschild,

I have much pleasure in conveying to you on behalf of His Majesty's Government the following declaration of sympathy with Jewish Zionist aspirations,\* which has been submitted to and approved by the Cabinet:

His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievements of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country.

I should be grateful if you would bring this Declaration to the knowledge of the Zionist Federation.

Yours Sincerely,

ARTHUR JAMES BALFOUR

\* Jewish Zionist aspirations have, from the very beginning of the modern Zionist movement, been clearly defined as aiming toward the establishment of a Jewish State or Commonwealth in Palestine.

## *To Make the Promise Come True*

The Mandate for Palestine must be faithfully carried out by Great Britain as long as she remains in Palestine.

This means that full opportunity must be given for Jewish immigration, land settlement and industrial development.

This is the principle upon which any just, final solution must be based, so that, in accordance with the intent of the Mandate, the Jewish people may reconstitute Palestine as a free, democratic Jewish Commonwealth.

AMERICAN CHRISTIAN PALESTINE COMMITTEE • 41 EAST 42 STREET • NEW YORK 17, N. Y.



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THE INFLUENCE  
OF JEWISH COLONISATION  
ON ARAB DEVELOPMENT  
IN PALESTINE

JERUSALEM, 1947

THE JEWISH AGENCY FOR PALESTINE  
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MEMORANDUM  
submitted in March, 1946, to the  
Anglo-American Committee of Inquiry  
in Jerusalem  
by the  
Jewish Agency for Palestine

PRINTED IN PALESTINE  
at The Jerusalem Press Ltd., Jerusalem

## THE INFLUENCE OF JEWISH COLONISATION ON ARAB DEVELOPMENT IN PALESTINE

### Introduction

THE object of the present brief study is to examine how Jewish colonisation in Palestine has affected the material prosperity, the health and educational conditions of the indigenous population.

A preliminary remark that must be made is that Jewish immigration is composed of permanent settlers, investing not merely their capital, but also their labour, technical knowledge and practical experience. There is a fundamental difference between colonial and colonisation ventures. The former are based on the investment of foreign capital in an undeveloped country with great natural resources and cheap labour, with no appreciable influx of new settlers. The latter is a combined movement of both capital and workers, resulting in a new and complete economic structure. It is under the influence of such forces that Palestine, which before 1918 was a neglected outlying province of the Turkish Empire, has been transformed beyond recognition.

Economic indications give clear proof of the effect of Jewish colonisation. In correlation with the increase of the Jewish population, that of the Arabs had increased by nearly 60% just at the outbreak of the war, when it passed the 1,000,000 mark. The principal cause was the improved sanitary and social conditions, resulting, *inter alia*, in the decline of Moslem infant mortality from 196 per 1,000 live births in the three years average 1922/24 to 143 in the period 1937/39. Also, it should not be overlooked that Palestine, which had been an emigration country previous to World War I, attracted in the inter-war period a considerable non-Jewish net immigration.

During these years the annual consumption of principal commodities per head of settled population had risen by 85%, and gross production in agriculture and industry by 150%. Imports per head rose from £P 7 to £P 9, with a growing share of capital goods and industrial products, and exports from £P 1 to

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£P 3.500. The Government's local revenue increased from £P 2.750 per head per annum during the first five years of British administration to £P 3.750 during the five years before the second world war.

There are definite indications that this development was by no means confined to the Jewish colonisation sector. The two economic sectors in Palestine are not hermetically sealed off from one another. The first point of contact is the market. Large capital imports within so small a country must have percolated from one to the other. Then, land sales to new settlers provided a channel. Settlers were ready to pay much more than the economic value of the land. The same or better land a short distance east or north of the Palestine frontiers fetches a tenth or less of the Palestine price. A market was provided for agricultural produce. Agriculture being the occupation of nearly 60% of the indigenous population, returns must have accrued mainly to them, especially since agricultural production by the new settlers must have lagged behind the increase in population, and also since the incoming population engaged to a greater extent in industry than in agriculture. The general expansion of the economy provided additional employment possibilities for the indigenous population. Assimilation in methods and organisation of the indigenous population to those of the newcomers proceeded, raising the standards of the former. Increment of Government revenues, the greater part of which derived from the incoming population, led to decrease of the taxation of the rural population and improved services for them, especially in health and education.

These statements can be corroborated by empirical tests.

#### *The Demographic Test*

The rate of increase of the Moslem population has proceeded at a 2.7 times greater flow than the average for the world's population within the past 20 years. Between 1922 and 1939 the non-Jewish population of Palestine (excluding nomads) increased by 75.2%. During approximately the same period the population of Egypt increased by 25%, of Japan by 21%, of Brazil, also a country of immigration, by 33%. The unusual increase among the Palestinian Arabs is not due to any sudden rise in the birth-rate, but rather to falling death and infant mor-

1. Mortality rates consequent upon general improvement in health and economic conditions.

Moreover, the Arab increase has been greatest where Jewish development has been most marked. Thus, in Haifa the Arab community (including a small number of non-Arab Christians) has increased by 216%, in Jaffa by 134%, in Jerusalem by 97%, and in the purely Arab town of Ramle by 101%. All these are within the area of Jewish development. On the other hand, where there has been no Jewish settlement, in Nablus, for example, the Arab increase has been only 42%, Jenin 40%, Hebron 40%, Bethlehem 32%, Beit Jalah 23%.

Similarly with the Moslem rural population. In the Jaffa sub-district, where the Jewish share in the total population increased within 20 years from 36.9% to 74.0%, the Arab rural population rose simultaneously by 273%. In the Haifa sub-district, where Jews today constitute about 47% of the total, the Arab rural population's increase was 108%. In the sub-districts of Ramle and Nazareth, with Jewish percentages of 26 and 18 respectively, the Arab rural increase amounted to 118% and 93%. In the entirely non-Jewish sub-districts of Jenin, Nablus and Hebron the Arab rural increase was 76%, 72% and 75% respectively, i.e. below the average rate of increase in the total non-Jewish population, while in the Gaza sub-district, with a Jewish population of 1.2%, the Arab rural population increased by 51% only.

The infant mortality rate of Palestine Moslems in the period 1924/30 was one of the highest recorded in the entire world, but the rate for 1937/39 was not only lower than that of a large number of African, Asiatic and South American countries but even lower than that of some European countries such as Rumania, Yugoslavia and Bulgaria.

The regional test is even more important in Palestine, for obvious reasons. In the sub-districts of Jaffa, Ramle and Haifa, where the Jewish share in total population is 71.9%, 22% and 52.3% respectively, the Moslem rural infant mortality rates for the 1937/39 period are 81.4%, 114.8% and 118.7%. At the other end of the scale, Ramalla, Bethlehem and Safad sub-districts, with a Jewish share in total population of nil, nil and 9.9% respectively, the Moslem infant mortality rates are 171.5%, 176.4% and 177% respectively.

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At the same time, another interesting change has occurred. From being a country of Arab emigration, Palestine has become one of Arab immigration. In 1913, Arab emigrants from the Jerusalem district alone numbered 2,000, whereas in the period 1920/30 there were no more than 1,340 emigrants yearly from the whole country. In 1935 their numbers had sunk to 387. On the other hand, there is now a considerable Arab immigration into Palestine, a feature unknown before World War I. 20,000 to 30,000 immigrants from Arab countries are estimated to have entered Palestine, at least temporarily, in the years 1922/27. All this is in marked contrast to the situation in Syria, where emigration has remained at the relatively high average of 9,300 between 1924 and 1933, i.e. about seven times as large as the Arab emigration from Palestine.

Since the main currents of Arab immigration into Palestine flow from Syria and Transjordan, it is interesting to note that, while the arithmetical density (total population: total area) is 41 persons per sq.km. in Palestine, it is 14 in Syria and 3 in Transjordan. At the same time, the cultivable but uncultivated area in Syria is much more extensive than in Palestine. Nevertheless, migration here does not flow from a country of limited land areas to one of land surplus, but the other way round.

#### *Agriculture*

The inter-relation between Jewish development and the economic condition of the indigenous population involves first and foremost the problem of land. Jewish agricultural colonisation up to 1945 developed on an area of 1,680,000 dunums, i.e. 6.4% of Palestine's total land area. Excluding altogether the Beersheba sub-district, which is largely desert, the Jewish area, with concession areas, totals 1,560,000 dunums, or 11.4%. On this a Jewish rural population of 140,000 is supported, while an area of 12,183,000 dunums supports 760,000 rural Arabs. The whole Beersheba sub-district holds a further 52,000 Arabs, mostly nomads. The difference indicates the possibilities of development, which are determined not only by the availability of cultivable land but also by irrigation.

Moreover, the difference in standard of living between modern irrigated and primitive indigenous agriculture is indicated by the

following figures: The total gross income of a 25-dunum irrigated farm with two earners was calculated before the war as £P 214.550. That of an Arab farm of 100 dunums (mostly non-irrigated) with a family of six, was £P 64.500. The net incomes are respectively £P 114.060 and £P 25.400. Hence from a plot of land one-fourth the size of the non-irrigated farm, a net income larger by 181% can be attained. Another calculation contrasts an average fellah farm of 100 unirrigated dunums, yielding a net income of £P 29.350 (including £P 12 from outside work), with an improved fellah farm of 20 dunums of irrigated land, yielding £P 79.460 net, i.e. an increase of 171% from one-fifth the area.

The whole problem of agricultural settlement in Palestine boils down to one of productivity of the soil. The conception that colonisation must be based on a displacement of population is disproved both by experience and by theoretical analysis. The productivity of the soil has increased more rapidly than the population. The former idea of what a unit of land can support is today completely inappropriate, and the process of increasing the productivity has by no means reached its limits.

The point is illustrated by the difference between the yields of Jewish and Arab farming within the confines of a small country. In 1930, Jewish yield of wheat was 109/111 kilos per dunum, Arab yield 48/70; Jewish yield of barley 153/177, Arab yield 59/63. Since that year the divergence has become even greater.

Moreover, the profitability of agriculture varies according to the utilisation of the land. Thus, in Palestine the income accruing from half a dunum of vegetables or one-third of a dunum of citrus equals that from ten dunums of cereals.

The 'lot viable' is thus not a matter of crude arithmetic but of economics. It is a function of the degree of intensification and diversification of farming, of social and economic conditions, of distribution of land and of similar factors. The problem is not one of area but first and foremost of capital to develop the productivity of the available area.

#### *Effect of Jewish Colonisation*

The condition of agriculture prior to the beginning of Jewish colonisation is well known from contemporary reports. The

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371 / 61903



taxes fell from 12.4% of the revenue in 1922 to 3.4% in 1937/38, in absolute figures from £P.286,521 to £P 165,398. In 1944/45 these taxes formed 3.9% of the total revenue. This in spite of the additional source of agricultural taxes presented by the new Jewish sector.

The fourth channel results from the example given to the old-fashioned Arab agriculture by the new, progressive Jewish farming; from the work of the Jewish scientific institutes, which assisted in the fight against animal and plant diseases and in the discovery of industrial uses for surplus agricultural products; and from the opening up by Jewish effort of new water resources.

#### *Industrialisation*

An exact estimate of the growth of Arab industry is impossible, since the classification and methods of the census of 1928 differed from those of 1939. However, in 1928 the Government enumerated 2,395 Arab industrial and artisan enterprises, of which 1,373 had been founded in the ten years following the First World War. The growth of the Arab population engaged in industry is to be gauged from the population census of 1931 and data on industrial and artisan employees contained in the Survey of National Income, 1943. Non-Jewish earners occupied in manufacturing industries and mining numbered 15,800 in 1931, 18,300 in 1933 and 21,000 in 1942. Moreover, while formerly most establishments were artisan one-man shops and family enterprises, later on wage earners were becoming increasingly evident. The capital invested in Arab industry in 1942 aggregated £P 2,000,000.

This expansion of Arab industry concurrently with Jewish immigration contradicts the assumption that Jewish development is incompatible with Arab development. The latter has been made possible by the stimulus from Jewish industry and experience (70 Jewish skilled artisans were to be found in Arab enterprises in 1942) and by the expanding market of the Arab population. The Palestine Potash concession, established by Jewish initiative and capital, employs a considerable proportion of Arab labour. The development of building material production in the Arab sector has been stimulated by the very rapid expansion of construction caused by Jewish immigration.

The development of Arab industry is, however, only in its initial stage. Its further growth is inevitable, increasing the national income and purchasing power of the Arabs, offering new investment possibilities for the rapidly accumulating Arab capital and reacting favourably on Arab agriculture by expanding the market for its produce and by utilising some of its raw materials, such as oil and tobacco.

The powerful stimulus received by building activity from Jewish immigration, though by no means confined to the Jewish sector, has been concentrated largely in the Jewish and the mixed Jewish-Arab areas. It is calculated on the basis of official statistics that in the period 1921/35 nearly £P 36,500,000 was invested in building, of which about £P 21,000,000 was the Jewish share. During the period 1935/37 approximately 1,000 Arab workers were employed on building sites by Jewish contractors in the construction of Jewish-owned buildings. A far larger number was indirectly employed in connection with Jewish building through quarrying, metalling, transport, gravel and limestone work, all almost entirely Arab occupations. In addition, Arab quarries, lime kilns, stone grinders, etc. are engaged in the production of materials required for Jewish buildings.

The increasing share of the building trades in Arab employment is indicative of the position. Between 1931 and 1939 the number of non-Jews employed in building and public works rose from 8,000 to 14,000, or by 75%, and in quarries, etc. from 2,000 to 3,000, or by 50%, while the growth of the non-Jewish population in the same period was only 23%.

#### *Labour*

Since the Jewish immigrants brought standards of living considerably higher than those of the great majority of the existing population, there was every temptation for them to develop into an economic "upper class", monopolising the better-paid jobs and leaving the rough work to be done by cheap Arab labour, with all the consequent social and political perils. It was essential for the health of both Jewish and Arab communities that the Jewish economic structure should be of the normal type of every settled people and that Jews should be found in every stratum of economic life. This did not imply that the Jewish economy should

1	2	3	4	5	6
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be entirely self-sufficient, even were this possible. In fact, the number of Arabs working for Jews, both directly and indirectly, has grown constantly, proving that Jewish immigration, far from diminishing the volume of Arab employment, has actually increased it.

An influx of labour in excess of the expansion of the resources and productive capacity of the country would necessarily lead to the competition of incoming labour with the existing labour power and cause a decline in wages. In fact, fluctuations in real wages show correlation with the flow of immigration. So far from real wages declining through the competition of incoming labour on the labour market, the curves in both Jewish and Arab sectors run parallel to the curve of immigration. The peaks for both were reached in 1934 and 1935, when immigration was highest, and the troughs in 1936/39, when immigration was lowest. The Arab decline was accentuated in 1936/39, when not only was immigration low but there was also a segregation of the two economies resulting from the disturbances of those years. The effect of immigration as a factor making for higher real wages for the Arabs was temporarily defeated by the segregation during the disturbances.

The real Arab gains in this field are not expressed by wages alone, but also by a certain shift in the occupational structure, as already seen in connection with building activities and industry generally. The number of Arabs employed in Government service and public works rose from under 8,000 in 1931 to over 18,000 in 1938, this being made possible by Jewish contributions to the revenues.

The effect of Jewish colonisation on Arab wage standards was observed by the Royal Commission: "The daily wage rate paid to an Arab for skilled labour is now from 250 to 600 mils, and for unskilled labour from 100 to 180 mils. In Syria the wage ranges from 67 mils in older industries to 124 mils in newer ones. Factory labour in Iraq is paid from 40 to 60 mils."

It is a truism that lower-paid labour cannot be displaced by higher-paid labour. Consequently, the absorption of Jewish workers was possible only in so far as new openings were created by Jewish colonisation. Except for certain technical branches in which no Arab skill is available, the Arab labour market is shut tight against Jewish labour.

A further indication of the improved position of Arab labour is the complete cessation of Arab emigration from Palestine and instead Arab immigration into Palestine. Indeed, a memorandum written in 1932 by the Arab Labourers' Association complains of the competition of cheap labour coming in from Syria and Trans-jordan and recommends its prohibition. The very fact of the migration of Arab workers from neighbouring countries into Palestine testifies to the favourable effect of Jewish colonisation on Arab labour standards.

#### Public Finances

Palestine's satisfactory budget position must be attributed to the influence of Jewish immigration and importation of capital. If the grants-in-aid received from the United Kingdom (for Imperial purposes) are excluded, the Government revenue rose from £P 1,140,000, or £P 1,894 *per capita*, in the year 1920/21, to £P 4,630,000, or £P 3,299 *per capita*, in 1939/40.

Again, there is a correlation between revenue on the one hand and Jewish immigration and Jewish capital import on the other. The Government was able to accumulate considerable reserves, which reached a peak in 1935/36 with £P 6,300,000, and, although the two following years ended with deficits, owing to the disturbances, the Palestine Treasury entered the war with a surplus of £P 3,500,000 — more than half an annual budget.

In the last pre-war years, 70% of local revenue derived from the Jewish sector, which then formed about 30% of the population, while the Arab share in Government expenditure was well in excess of their share in the total population.

The introduction of Income Tax in 1941 brought up the share of direct taxation in locally derived revenue to 19.7% in 1942/43 and since then to an even higher proportion. It is estimated that in that year 70% of all Income Tax proceeds derived from Jewish individuals and companies, 15% from Arabs, and 15% from non-Jewish foreign companies. The tax per head of population was thus £P 3.300 from Jews and £P 0.650 from non-Jews.

The effect of Jewish immigration on Arab prosperity was also to be seen in the budgets of the municipalities. Taking 100 as the index for the year 1921, it rose to 108.7 in 1934 and 117.3

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## Health

Although the majority of the Arabs live in villages, practically no Arab doctors, if any at all, are to be found there. On the other hand, the Arab villages in the vicinity of Jewish settlements are treated by the Jewish doctors. In work places with mixed labour, e.g. Palestine Potash Company, Palestine Electric Corporation, "Nesher" Portland Cement Works, about 1,000 Arab workers receive medical attention from the Jewish Labour Federation's Sick Fund against a small fee paid by the employers. In military camps Arab civilian labour working together with Jews receives similar attention.

The prevention of malaria by the draining of marshes has contributed directly to an improvement in the health of the population. Up to 1935 the Jews had spent £P 403,000 on such drainage and the Government £P 82,569.

[ 12 ]

### *Education*

The Moslem school population rose from 20,924 in 1922/23 to 66,939 in 1939/40, while its percentage in the total Moslem population rose by 84%. Government expenditure on Arab schools went up from £P 106,616 in 1931 to £P 214,076 in 1939/40.

In the ten years 1931/1941 the number of Moslem literates rose from 76,000, or 11% of the Moslem population, to 170,000, or 18%. Thus the number of Moslem literates more than doubled in a decade.

## Conclusion

The indigenous economy is in the process of transformation. In the self-contained economy of the village, which formed a self-supporting economic unit, the exchange of goods was of small importance, and the use of money very limited. Into this fabric the new elements of modern economy penetrate. The standard of life is raised. Production expands and consumption rises, with rising real income, declining infant mortality rates, better standards of hygiene and health and the spread of modern education. The stimulus in all this is Jewish immigration and colonisation.

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# LAND TRANSFERS REGULATIONS, 1940

JERUSALEM, 1947

THE JEWISH AGENCY FOR PALESTINE  
INFORMATION OFFICE

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# LAND TRANSFERS REGULATIONS, 1940

**A**RTICLE 11 of the Mandate imposes on the Administration of Palestine a duty to "introduce a land system appropriate to the needs of the country, having regard, among other things, to the desirability of promoting the close settlement and intensive cultivation of the land."

2. Article 15 of the Mandate prescribes that “no discrimination of any kind shall be made between the inhabitants of Palestine on the ground of race, religion or language.”

3. For the proper interpretation of the said Articles, it is relevant to bear in mind that —

(a) the preamble makes the Mandatory responsible for putting into effect the Balfour Declaration, and records that by the agreement to entrust the Administration of Palestine to a Mandatory and by imposing upon that Mandatory the responsibility for putting into effect the said Declaration, recognition has been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their National Home in that country,

and

(b) under Article 6 of the Mandate the Administration of Palestine has a duty “while ensuring that the rights and position of other sections of the population are not prejudiced, to encourage, in cooperation with the Jewish Agency ... close settlement by Jews on the land, including State lands and waste lands not required for public purposes.”

4. It could hardly have been foreseen that the power and duty under Article 11 of the Mandate would be used for the purpose of introducing a land system which would exclude Jews from the greater part of Palestine, or that Article 15 of the Mandate would have to be invoked, not as a protection for non-Jews, but as a safeguard for the people whose National Home was to be reconstituted in Palestine.

5. Article 1 of the Mandate states: "The Mandatory shall have full powers of legislation and of administration, save as they may be limited by the terms of the Mandate." The Palestine Order-in-Council, 1922, reciting again the agreement to entrust the administration of Palestine to a Mandatory, and the responsibility placed upon that Mandatory, provides in Article 18 thereof that the Executive shall not pass any ordinance "which shall be in any way repugnant to or inconsistent with the provisions of the Mandate."

### *Land Provisions of the Mandate*

*The Palestine  
Order-in-  
Council, 1922*

**NOTE**

*submitted in March, 1946, to the  
Anglo-American Committee of Inquiry  
in Jerusalem  
by the  
Jewish Agency for Palestine*

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371 / 61903

*The Palestine  
(Amendment)  
Order-in-Council,  
1939.*

6. On the 17th day of May, 1939, the White Paper was published and on the 25th day of May, 1939, Article 18 of the Order-in-Council, 1922, was revoked by the Palestine (Amendment) Order-in-Council, 1939, and a new Article numbered 16D was inserted in the Principal Order, which reads as follows:

"16D. (1) The High Commissioner may make regulations prohibiting, restricting, or regulating transfers of land in Palestine or in any part thereof.

(2) Without prejudice to the generality of the provisions of the foregoing paragraph, it is hereby declared that any such regulations may —

(a) be made applicable only to transfers of land from Arabs to Jews or to other persons not being Arabs; or from Jews to Arabs or to other persons not being Jews; or from Arabs or Jews to any bodies of persons corporate or unincorporate;

(b) invalidate, or otherwise determine the effect of, any transfers made in contravention of the provisions of the regulations; and

(c) prescribe penalties for breach of the regulations.

(3) Regulations under this Article may provide that they shall take effect as from any date not being earlier than the 18th day of May, 1939.

(4) In this Article —

'land' includes water, buildings, trees and any interest in, or right in, to or over, land, water, buildings or trees.

'transfers' include leases, mortgages, charges and other dispositions."

7. The Mandatory thus conferred upon the High Commissioner power to introduce legislation which discriminates between the inhabitants of Palestine on the grounds of race, religion and language, acknowledging by the revocation of Article 18 that such legislation is repugnant to and inconsistent with the provisions of the Mandate.

8. Even during the Turkish regime, Ottoman Jews could buy land on a footing of equality with other citizens. Yet, under a Mandate which was to reconstitute their National Home, Jews were to be deprived of the right of acquiring and settling on the land in that National Home.

9. On the 20th day of February, 1940, the High Commissioner made use of the powers vested in him by the said Article 16D and passed the regulations known as the Land Transfers Regulations, 1940, with effect from the 18th day of May, 1939. Under these Regulations, the country was divided into Zones A, B, and C, which have become known as the

Prohibited, Regulated and Free Zones. An Explanatory Statement was appended to these Regulations and it begins by a reference to Article 6 of the Mandate, the purport of the reference being to recall that when a stage is reached at which the rights and position of other sections of the population are prejudiced, the Administration of Palestine becomes released from its duty to encourage close settlement of Jews on the land. It does not state what form that encouragement took in the past, nor how the release of the Mandatory from the duty to encourage close settlement of Jews on the land could justify the imposition of restrictions on, or the total prohibition of, purchases of land by Jews. On the purely factual side, no information has ever been vouchsafed in support of the contention in the Explanatory Statement that there was "in certain areas no room for further transfers of Arab land, whilst in some other areas such transfers of land must be restricted if Arab cultivators were to maintain their existing standard of life and a considerable landless Arab population was not soon to be created."

10. It should be noted that Article 16D (1) of the Order-in-Council by itself could not empower the High Commissioner to discriminate between inhabitants of Palestine on the ground of race or religion, and that it is only Article 16D (2) which gave him that power. That Article gives him power in respect of transfers from Arabs to Jews or from Jews to Arabs, or from Arabs or Jews to any bodies of persons corporate or unincorporate. By the Land Transfers Regulations, however, the High Commissioner purports to deal also with the sale of land by non-Arabs to Jews, or even by Jews to Jews, making such sales dependent upon his discretion in respect of lands situated in Zone A, and the Regulations would, therefore, appear to be *ultra vires* not only the Mandate, but also the Order-in-Council.

11. Acquisition of land for agricultural settlement has always been held a necessary pre-requisite for the re-birth of the Jewish people. From the small beginnings of 1882, when the Jews possessed only 22,530 dunums of agricultural lands, the Jewish-owned area gradually increased to 420,500 dunums by the end of the first war. To this must be added some 50,000 dunums of Government lands granted or promised by the Ottoman Administration to the colony of Rishon-le-Zion, which bordered on the sand-dunes of the Mediterranean shore, and to the ICA for purposes of draining and afforestation. By the time it was seen fit to restrict or prohibit Jewish land purchases in February 1940, the Jews possessed about 1,500,000 dunums, which included some 170,000 dunums of lands granted under concession rights or for specific purposes by the Government, such as the Potash Works in the vicinity of the Dead Sea, the Palestine Electric Corporation, the Hula Swamp Area, for which the

*Jewish Land  
Acquisition*

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### *Effect of the Regulations*

15. The deep incursion of Zone A into Zone C in the area between Rechovot and Tel Aviv, and again between Tantura and Haifa, and its general delimitation on North and South stand in glaring contradiction to the statement of the Colonial Secretary in the House of Commons on March 6, 1940, that the Free Zone would comprise "practically the whole length and breadth of the Maritime Plain." The "Maritime Plain" is Item 1 (1) in the Description of Lands contained in Memorandum No. 8 prepared by the Government of Palestine for the Palestine Royal Com-

[illegible]

to buy lands in Zone B depends upon the unfettered discretion of a public functionary" truly sums up the position.

20. An illustration of the manner in which this discretion is exercised is afforded by the following examples :

- (a) An agricultural and vocational school, which provides education for refugee children among others, acquired some 18 dunums from an Arab neighbour before the Regulations, but transfer happened to be delayed. The area happened to be included in Zone A. Permission for transfer was refused.
- (b) The Jewish National Fund owned seven-eighths of certain areas in the Beisan Sub-District, Zone B, and applied for permission to obtain transfer of the remaining undivided one-eighth. The area concerned did not exceed 25 dunums. Permission was refused.
- (c) The Jewish National Fund applied for permission to acquire the share held by a big landlord in some uncultivated lands situated in Zones A and B; the would-be seller, who owned some 50,000 dunums of equally undeveloped land in another area, proposed to develop these other lands with the proceeds of the sale. The application was refused.

*Advantages  
of Repealing  
the Regulations*

21. Given freedom of land purchase throughout Palestine, Jewish agricultural settlement would unquestionably mean large development and irrigation schemes. These would not only greatly increase the productivity of lands cultivable at present, but would bring under intensive cultivation millions of dunums at present registered in Government Fiscal Survey as uncultivable. In this process the declared purpose of the Land Transfers Regulations that Arab cultivators should "maintain their existing standard of life" would lose all sense, as the existing standard of life would be greatly improved. The fear lest "a considerable landless Arab population was soon to be created" would prove to have been groundless and unwarranted. The prosperity and development which has accompanied the process of land acquisition by Jews from the beginning would continue.

22. Repeal of the Land Transfers Regulations is essential if the civil disability imposed on the Jews is to be removed and scope assured to further Jewish agricultural settlement. The Arab rural population, far from being harmed by such development, would reap its full benefits.

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Per Security Officer  
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1947

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21 NOV

Registry  
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FROM

No.

Dated

Received  
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W.S.

Last Paper

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References

(Print)

(How disposed of)

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h. Cable

✓ Nov. 25

g/h. Hatheris (C.O.)

(C.O.)

Nov. 26

(Action  
completed)

GCM 28/11

(Index)

10/11/48

Next Paper

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(Minutes.)

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with this letter to Mr. Roddas.

Liberty <sup>20/11</sup> a/u

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222  
Any further communication should be addressed to:—

THE SECRETARY,

And the following letter and number should be quoted:—

Stats. 555/1947

Telephone number: Whitehall 4477

Your Reference:

MINISTRY OF LABOUR AND  
NATIONAL SERVICE

OVERSEAS DEPARTMENT,  
NORFOLK HOUSE,  
ST. JAMES'S SQUARE,  
LONDON, S.W.1.

18th November, 1947

21 NOV

Dear Miss Bigby,

H.M. Stationery Office have passed on to this Department a request from the Jewish Agency in Palestine for copies of "The Ministry of Labour Gazette" to be regularly supplied to the Agency in exchange for copies of the latter's publications. Whether or not these publications contain information of such a nature as would justify this Department in complying with this request has yet to be ascertained, but before enquiries are addressed to the Agency on this point it would seem to be desirable that the Foreign Office should be afforded an opportunity of expressing their views as to whether considerations of policy exist that render it undesirable for this Department to give consideration to the proposal of the Agency, which, so far, at least, has no governmental status. I should accordingly be glad if you would be good enough to let me have your observations in this matter.

Yours sincerely,



(C. J. RODDA)

Miss D.A. Bigby, M.B.E.,  
Research Department and Library,  
Old Stationery Office Buildings,  
Princes Street,  
S.W.1.

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Restricted.  
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Draft.

Mr. Rodda  
Min. of Labour  
J.E.  
Mr. Rodda

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22 NOV 1947	
SENT TO TYPE	22/11
RECAPTURED	26/11

copy to:  
Mr. Matheson  
C.S.  
with copy of  
ref.

Dear Rodda,

Will you please refer to  
your letter <sup>(to Mr. Bygg)</sup> no. 555/1447 of  
the 18th November about the  
Jewish Agency's proposal to  
exchange their publications for  
the Ministry of Labour's Gazette.

2. This is primarily a question  
for the Colonial Office and  
I suggest that you should  
get in touch with Matheson  
(Whitehall 2366-EXT 81), to whom  
I am sending a copy of this  
letter.

*[Signature]*  
24/11

(Sd.) J.E. Caste

223

22pm

25 Nov.

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Received in Registry } 21 Nov  
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in from Tel. in office of the British Agency  
has been functioning in Beirut since. It is reported  
two days, 1st Oct. and 2nd Oct. The  
person in view by 2nd Oct. is Michael  
tells by 2nd Oct. and by 2nd Oct.  
Beirut.

Last Paper

(Minutes.)

10938

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**BY AIR MAIL.**



**BRITISH EMBASSY.**  
**BUENOS AIRES**

November 21st. 1947.

226  
E  
11 1947  
26 NOV

Dear Department,

You may care to know that as from the 1st. October an office of the Jewish Agency has been functioning in Buenos Aires. It comprises two departments, Political and "Organisational". The former is run by a Dr. Abraham Mibashan, who is known to us as a respectable and cooperative character, the latter by one Arye L. Chill, of whom we have no knowledge. A certain Schlomo Gerner, also unknown to us, collaborates with Chill as representative of the Youth Department of the Jewish Agency.

Yours ever,

BUENOS AIRES CHANCERY.

Eastern Department,  
Foreign Office,  
London.

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